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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE October 26, 2005	CONTACT/PHONE Ryan Hostetter (805) 788-2351	APPLICANT Gary and Kathleen Tucker	FILE NO. DRC2004-00003
SUBJECT Request by Gary and Kathleen Tucker for a Conditional Use Permit to allow a Residential Care Facility of approximately 28 residents including: the construction of two approximately 6,000 square foot buildings each with its own kitchen and laundry facilities, a 17 space parking lot (includes 4 handicapped spaces), a motorcourt, removal of approximately 1.5 acres of vineyards, and construction of two approximately 100 foot long, six foot high soundwalls around the outdoor yard areas, in-between the buildings and Highway 101. The project will result in the disturbance of approximately 70,000 square feet of a 9 acre parcel. The proposed project is within the Agriculture land use category and is located between Monterey Road and Highway 101, approximately 0.3 miles south of the intersection of Exline Road and Highway 101, between Paso Robles and San Miguel. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Conditional Use Permit DRC2004-00003 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and CA Code of Regulations Section 15000 et seq.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION(S) none	ASSESSOR PARCEL NUMBER 026-141-008	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Land Use			
LAND USE ORDINANCE STANDARDS: Setbacks, Height, Density, Intensity, Parcel Size, Residential Care Standards, Signs, Landscape Standards, and Fencing and Screening <i>Does the project conform to the Land Use Ordinance Standards: See Discussion</i>			
EXISTING USES: The site is developed entirely with mature grape vineyard used for agricultural production of wine.			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/single family residence and orchard <i>South:</i> Agriculture/single family residence <i>East:</i> Agriculture/horse farm <i>West:</i> Highway 101			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

3-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Public Works, Environmental Health, Ag Commissioner, County Fire, Cal Trans, City of Paso Robles, San Miguel Community Services District

TOPOGRAPHY:

Site is nearly level to sloping down to Monterey Road

VEGETATION:

Site currently contains wine grape vineyards

PROPOSED SERVICES:

Water supply: On-site well

Sewage Disposal: Individual septic system

Fire Protection: CDF

ACCEPTANCE DATE:

August 31, 2004

BACKGROUND

On November 30, 2004 staff brought the subject project before the Planning Commission with a recommendation of denial from planning staff. There was no initial study completed at that time (see attached staff report in your packet dated November 30, 2004) because the project was recommended for denial. Based on discussions at that meeting, the Planning Commission directed staff to bring the project back with a completed environmental document, and a recommendation of approval.

PROJECT ANALYSIS

Land Use Element - Salinas River Area Plan:

The Land Use Chapter (4) of the Salinas River Area Plan discusses intensity of different uses, existing conditions, and goals related to future development of this area. One portion of this chapter specifically discusses "Community Separation/Rural Character" between the different communities along the Highway 101 corridor. The plan states *"The open areas between each town provide rural visual character where densities in the Agriculture, Rural Lands and Residential Rural category are acceptable."* These areas *"should be retained through controls on the amount and location of development. This distinct change in the amount of development at the edge of a town in relation to other towns and countryside establishes a border to the community."*

The project has been sited and designed to have the least visual impact as possible. For example, the building envelope has a setback of approximately 140 feet from the western property line adjacent to the highway. The structure is also located on the northern edge of the property which is adjacent to an existing single family residence that includes a small orchard, large ornamental trees and other ornamental vegetation. The design of the structures are single story ranch style, with a color board that includes a dark slate roof, dark green siding, and dark grey trim.

The applicant has conducted a visual analysis by Bob Carr with The Morro Group (attached) for the proposed project which includes recommendations for screening the structures from the highway and reducing any visual impacts to a less than significant level. Those recommendation measures have been incorporated into the conditions of approval, and are also included in the developer's statement as mitigation for the Negative Declaration.

Agriculture and Open Space Element of the General Plan:

The proposed use will remove a portion of an existing vineyard in the Agricultural Land Use Category. The Agriculture and Open Space Element of the County's General Plan has specific goals and policies that were adopted by the Board of Supervisors for supporting, conserving, and protecting the county's agricultural lands and resources. The project proposes to remove approximately 1.5 acres of vineyards out of the existing approximately 9 acres of producing vineyards. The remaining approximately 7.5 acres of vineyards are proposed to remain in an agricultural easement which will not allow any future non-agricultural development on the property, and limit any future agricultural structure to a total of 600 square feet.

Noise Element:

Aspects of the proposed use conflict with acceptable noise level standards established by the Noise Element of the General Plan for outdoor activity areas due to the proximity and location of the buildings and outdoor spaces to Highway 101 and the Union Pacific Railroad. The applicant has completed a noise study conducted by The Morro Group on May 13, 2005. This report included recommendations for design, location, and landscaping which have been included as mitigation for a portion of the environmental review process. These mitigation measures include but are not limited to siting the building envelope in the center of the highway and the railroad, walls around the outdoor activity areas for the residents of the facility, construction methods for insulation and window types, and landscaping to help insulate the outdoor activity areas. These measures have been incorporated into the project as conditions of approval, and are also included in the signed developer's statement for mitigation from the environmental review.

Ordinance Compliance:

Residential Care Facilities with seven or more residents are allowed within the Agriculture Land Use Category subject to a Conditional Use Permit and special standards for residential care facilities. These types of care facilities for ambulatory residents (non medical facilities) are subject to all the applicable standards for multiple-family dwellings because the use is similar to that of a multi family dwelling. The table on the following page identifies the required standards for this residential care project:.

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area- Section 22.30.420	20,000 square feet	1.5 acre developed area of a 9 acre site
Density	15 units/acre	* 13.33 units per acre for the proposed building envelope * 2.22 units per acre for the entire 9 acre site
Intensity	low	low
Setbacks – Section 22.10.140	Front: 25' Side 25' Rear 30'	Front approx 150" Side approx 30' Rear approx 140'

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Height - Section 22.10.090	35'	One story (approx 15')
Parking -Section 22.30.320.c	One space per four beds: 7 spaces required	13 spaces plus 4 handicapped spaces
Signs - Section 22.20.040 B (16)	Two aggregate feet of sign area - facing Monterey Road (sign shall not face Highway 101)	None proposed

Landscaping:

Fencing and Screening: The project is conditioned to include a detailed landscaping and screening plan to reduce visual impacts from the highway. This landscape plan includes but is not limited to the following: Landscaping which visually screens 70 percent of the building structures as seen from the highway within 5 years. A maintenance plan which ensures establishment of all landscaping, and conditions which require all vegetation to be drought tolerant and very low water using types of plants. These measures are incorporated into the signed developer's statement and are also included as conditions of approval in Exhibit B.

AREA PLAN STANDARDS

Highway corridor design standards 22.104.020 H(3): The intent of the highway corridor design standards are to protect public views of scenic vistas and backdrops, significant stands of trees and wildflowers, and pastoral settings. This project is located within this highway corridor and is within an existing pastoral setting which includes rolling hills, scattered oak trees, vineyards, and other rustic agricultural uses. The applicant has prepared a visual analysis which included recommendation measures to reduce the visual impacts of the proposed structures from the highway. As stated above, the visual analysis includes recommendations for screening the structures from the highway and reducing any visual impacts to a less than significant level. Those recommendation measures have been incorporated into the conditions of approval, and are also included in the developer's statement as mitigation for the Negative Declaration. This project complies with the highway corridor design standards.

COMMUNITY ADVISORY GROUP COMMENTS: There is no community advisory group for this area.

AGENCY REVIEW:

Public Works- New driveway requires encroachment permit.

Environmental Health –Provide stock conditions for individual wells and septic systems. Applicant shall contact Marina Michel @ 781-5573 in order to determine water requirements.

Ag Commissioner- See memo in file dated October 1, 2004. In general, Agricultural sites of less than 20 acres of are not considered to have significant ag production value. Require easement for vineyard, relocate structure, and provide right to farm disclosure.

County Parks – None received as of September 27, 2005.

CDF – See letter in file dated November 24, 2004. Letter also provided as attachment to the Mitigated Negative Declaration.

Cal Trans - None received as of September 27, 2005.

LEGAL LOT STATUS:

The lot was legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Chuck Stevenson.

FINDINGS - EXHIBIT A
DRC2004-00003

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 28, 2005 for this project. Mitigation measures are proposed to address biological resources and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed senior care facility does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the structures are of a residential design and the use is a residential facility which is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Monterey Road, a local road constructed to a level able to handle any additional traffic associated with the project

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. a Conditional Use Permit to allow a Residential Care Facility of 28 residents including: the construction of two approximately 6,000 square foot buildings each with its own kitchen and laundry facilities, a 17 space parking lot (includes 4 handicapped spaces), a motorcourt (vehicle maneuvering areas), removal of 1.5 acres of vineyards, and construction of two approximately 100' long six foot high soundwalls around the outdoor yard areas, in between the buildings and Highway 101. The project will result in the disturbance of approximately 70,000 square feet of a 9 acre parcel.
 - b. maximum height of buildings is **15 feet** from average natural grade. The maximum height of sound walls is 6 feet.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations, and colorboard in file.
3. **At the time of application for construction permits**, submit a **revised landscape plan** to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. The applicant shall provide landscaping that visually screens 70 percent of the building structures as seen from the Highway 101 within 5 years.
 - b. A minimum of 20 more trees shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Tree species shall be drought tolerant and shall use very low amounts of water. All trees along the western and southern sides of the development shall be planted from 24-inch box containers.
 - c. A minimum of 20 or more shrubs shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Shrub species shall be drought tolerant and shall use very low amounts of water. All shrubs along the western and southern sides of the development shall be planted from a minimum 5-gallon containers.
 - d. A maintenance plan shall be submitted that ensures the establishment of all plant material and replacement of all plants that die within a period of 5 years.
 - e. The landscape plan shall be fully implemented and inspected by a qualified landscape architect prior to issuance of final occupancy permits for the first residential unit.

4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored. The applicant shall submit a lighting plan which shall show a minimum of the following:
 - a. The point source of all exterior lighting shall be shielded from off-site views.
 - b. Light trespass from exterior lights shall be minimized by using full-cutoff shielded lights.
 - c. Exterior security lighting shall be activated by motion detecting sensors.
 - d. The lowest level of illumination allowed by public health and safety codes and ordinances shall be designed and implemented.
5. **At the time of application for construction permits**, the applicant shall demonstrate on the construction plans, the location of the care facility shall be located to minimize vineyard removal. A location as close to Monterey Road as feasible would reduce the length of the driveway and vineyard removal/impacts. This location shall be consistent with the revised site plan submitted on July 19, 2005.

Fire Safety

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated November 24, 2004.

Services

7. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
8. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site. ***The installation of the septic system shall not remove any vineyards that are not otherwise shown for removal on the approved plans.***

Conditions to be completed prior to issuance of a construction permit

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
10. **Prior to issuance of a construction permit**, the applicant shall establish an agricultural easement for the portion of the site supporting vineyard operations. The easement shall prohibit future development of non-agricultural structures and limit any agricultural structures to a total of 600 square feet.

11. **Prior to issuance of a construction permit**, the applicant shall provide supplemental disclosure to purchasers/occupants of the facility concerning the nature of the on-site and neighboring agricultural activities and the county's Right-to-Farm Ordinance. Notification shall include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated vineyards. This would include, but not be limited to, noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.
12. **Prior to issuance of a construction permit**, the applicant shall show the following on the construction plans for review and approval:
 - a. Site layout shall include setbacks, open space separation, and shielding of noise-sensitive uses with non noise-sensitive uses. This shall be consistent with the revised site plan submitted on July 19, 2005 which shows the care facility in between the highway and the rail-road tracks.
 - b. Acoustic treatments included in the design of all structures (i.e. insulation and window treatments)
 - c. Structural measures: construction of noise barriers (i.e. proposed 6 foot sound wall)
13. **San Joaquin Kit Fox** - The Kit Fox Evaluation, which was completed for Mr. & Mrs. Tucker [DRC2004-00003], on September 1, 2005 by Julie Eliason (county biologist), indicates your project will impact 1.6 acres of San Joaquin kit fox habitat. The project earned a score of 66 on the evaluation, which requires that all impacts be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.2 acres, based on 2 times 1.6 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should your project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.
14. **Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:
 - a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.2 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.
 - b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$8,000. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 3.2 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.2 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted prior to County permit issuance and initiation of any ground disturbing activities.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management .

- 15. **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:
 - a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
 - b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
 - c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of

incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

d. In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

16. **Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction,

In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement or Conditions of Approval no.'s 13 - 23 and 31 shall be clearly delineated on project plans.

17. **Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

Conditions to be completed during site disturbance and/or construction

18. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
19. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
20. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
21. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
22. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
23. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.

Conditions to be completed prior to occupancy or final building inspection/establishment of the use

24. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
25. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
26. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
27. **Prior to occupancy or final inspection**, the applicant, in order to reduce short term visual impacts caused by the visibility of the upper portion of the sound walls and the potential for reflective coloring, shall treat the highway-facing side of the retaining walls with either of the following:
 - a. painted grey-green to compliment the buildings
 - b. faced with rock to match the application of the building
 - c. clad with vertical wooden boards to appear as a residential fence (this option shall also be painted a dark color)
28. **Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
 - a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
 - b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

On-going conditions of approval (valid for the life of the project)

29. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
30. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

3-14

Date: September 2, 2005

**DEVELOPER'S STATEMENT FOR
TUCKER CONDITIONAL USE PERMIT
DRC-2004-00003**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Aesthetics

V-1 Prior to issuance of a building permit the applicant shall submit a revised landscape plan to show the following:

- a. The applicant shall provide landscaping that visually screens 70 percent of the building structures as seen from the Highway 101 within 5 years.
- b. A minimum of 20 more trees shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Tree species shall be drought tolerant and shall use very low amounts of water. All trees along the western and southern sides of the development shall be planted from 24-inch box containers.
- c. A minimum of 20 or more shrubs shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Shrub species shall be drought tolerant and shall use very low amounts of water. All shrubs along the western and southern sides of the development shall be planted from a minimum 5-gallon containers.
- d. A maintenance plan shall be submitted that ensures the establishment of all plant material and replacement of all plants that die within a period of 5 years.
- e. The landscape plan shall be fully implemented and inspected by a qualified landscape architect prior to issuance of final occupancy permits for the first residential unit.

V-2 Prior to occupancy or final inspection, the applicant, in order to reduce short term visual impacts caused by the visibility of the upper portion of the sound walls and the potential for reflective coloring, shall treat the highway-facing side of the retaining walls with either of the following:

- a. painted grey-green to compliment the buildings
- b. faced with rock to match the application of the building

3-15

- c. clad with vertical wooden boards to appear as a residential fence (this option shall also be painted a dark color)

V-3 **Prior to issuance of a construction permit**, the applicant shall submit a lighting plan which shall show a minimum of the following:

- a. The point source of all exterior lighting shall be shielded from off-site views.
- b. Light trespass from exterior lights shall be minimized by using full-cutoff shielded lights.
- c. Exterior security lighting shall be activated by motion detecting sensors.
- d. The lowest level of illumination allowed by public health and safety codes and ordinances shall be designed and implemented.

Monitoring: Compliance will be verified by the County Planning Department by review and approval of the plans, and verification of completion with a field inspection.

Agricultural Resources

AG-1 **At the time of application for construction permits**, the applicant shall demonstrate on the construction plans, the location of the care facility shall be located to minimize vineyard removal. A location as close to Monterey Road as feasible would reduce the length of the driveway and vineyard removal/impacts. This location shall be consistent with the revised site plan submitted on July 19, 2005.

AG-2 **Prior to issuance of a construction permit**, the applicant shall establish an agricultural easement for the portion of the site supporting vineyard operations. The easement shall prohibit future development of non-agricultural structures and limit any agricultural structures to a total of 600 square feet.

AG-3 **Prior to issuance of a construction permit**, the applicant shall provide supplemental disclosure to purchasers/occupants of the facility concerning the nature of the on-site and neighboring agricultural activities and the county's Right-to-Farm Ordinance. Notification shall include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated vineyards. This would include, but not be limited to, noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Monitoring: Compliance will be verified by the County Planning Department prior to issuance of construction permits.

Noise

N-1 **Prior to issuance of a construction permit**, the applicant shall show the following on the construction plans for review and approval:

3-16

- a. Site layout shall include setbacks, open space separation, and shielding of noise-sensitive uses with non noise-sensitive uses. This shall be consistent with the revised site plan submitted on July 19, 2005 which shows the care facility in between the highway and the railroad tracks.
- b. Acoustic treatments included in the design of all structures (i.e. insulation and window treatments)
- c. Structural measures: construction of noise barriers (i.e. proposed 6 foot sound wall)

Monitoring: Plans will be reviewed and approved by the Department of Planning and Building prior to issuance of construction permits.

San Joaquin Kit Fox

The Kit Fox Evaluation, which was completed for Mr. & Mrs. Tucker [DRC2004-00003], on September 1, 2005 by Julie Eliason (county biologist), indicates your project will impact 1.6 acres of San Joaquin kit fox habitat. The project earned a score of 66 on the evaluation, which requires that all impacts be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.2 acres, based on 2 times 1.6 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should your project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.2 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$8,000. This fee must be paid after the Department provides written notification about your

3-17

mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 3.2 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.2 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted prior to County permit issuance and initiation of any ground disturbing activities.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management.

BR-2 **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities**

commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

d. In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management .

BR-3 **Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: *"Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox"*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5 **Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all

contractors, employers and other personnel involved with the construction of the project.

- BR-6 **During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 **During the site-disturbance and/or construction phase**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 **During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 **Prior to, during and after the site-disturbance and/or construction phase**, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 **During the site-disturbance and/or construction phase**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.
- BR-11 **Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
 - b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

3-20

Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-11): Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

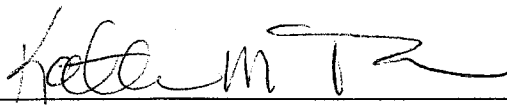
Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

9-25-2008

Date

Kathleen M Tucker

Name (Print)

3-21



COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (rh)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-048

DATE: September 8, 2005

PROJECT/ENTITLEMENT: Tucker Development Plan DRC2004-00003

APPLICANT NAME: Gary and Kathleen Tucker

ADDRESS: PO Box 3029 Paso Robles, CA 93447

CONTACT PERSON: Ernie Kim

Telephone: (805) 545-0676

PROPOSED USES/INTENT: Request by Gary and Kathleen Tucker to allow for the establishment of a Residential Care Facility for approximately 28 residents, which includes two buildings approximately 6,000 square feet each, a 17 space parking lot, motor court and related improvements, and removal of approximately 1.5 acres of vineyards, which will result in the disturbance of approximately 70,000 square feet on a 9 acre parcel.

LOCATION: The project is located located on the eastern side of Highway 101 approximately 0.6 miles north of Monterey Road , approximately 0.3 miles south of Exline Road , between Monterey Road and Highway 101, and on the west side of Monterey Road, approximately 2 miles north of the City of Paso Robles. The site is in the Salinas River planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on September 22, 2005

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Ryan Hostetter

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

3-22



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Tucker Conditional Use Permit CUP# ED 05-048

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

ZYAN Hostetter
Prepared by (Print)

ZYAN Hostetter
Signature

8/31/05
Date

John Nall
Reviewed by (Print)

John Nall
Signature

Ellen Carroll,
Environmental Coordinator
(for)

8/31/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Gary and Kathleen Tucker for a Conditional Use Permit to allow a Residential Care Facility of approximately 28 residents including: the construction of two approximately 6,000 square foot buildings each with its own kitchen and laundry facilities, a 17 space parking lot (includes 4 handicapped spaces), a motorcourt, removal of approximately 1.5 acres of vineyards, and construction of two approximately 100' long six foot high soundwalls around the outdoor yard areas, in between the buildings and Highway 101. The project will result in the disturbance of approximately 70,000 square feet of a 9 acre parcel. The proposed project is within the Agriculture land use category and is located between Monterey Road and Highway 101, approximately 0.3 miles south of the intersection of Exline Road and Highway 101, between Paso Robles and San Miguel. The site is in the Salinas River planning area.

ASSESSOR PARCEL NUMBER(S): 026-141-008

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, Rural

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped, Vineyard

TOPOGRAPHY: Nearly level

VEGETATION: Grasses Grapes

PARCEL SIZE: 9 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; residential	<i>East:</i> Agriculture; agricultural uses
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3-24

South: Agriculture; agricultural uses	West: Commercial Service; undeveloped Highway 101
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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located along the Highway 101 corridor in between Paso Robles and San Miguel. The site is immediately surrounded by agricultural uses to the east and south, a single family residence to the north, and Highway 101 to the west. The area contains predominantly agricultural uses, however there are some small commercial uses to the north such as a small motorcycle dealership across the highway from the project site, and a retailer of agricultural products to the south. There are also some rural residences in the vicinity and across the highway from the project site. Generally the area is not very developed.

Impact. The project will create a new use on a site which currently contains vineyards and is highly visible from Highway 101. The project site is very flat and does not contain any unique visual features or signature landscapes, but is almost entirely covered with vineyards. The proposed project is visually similar to that of two large single story homes very close together. The building envelope is located approximately 100 feet from the western fence-line adjacent to the highway, and approximately 30 feet from the northern property line. Both of the buildings are proposed to be approximately 15 feet above average natural grade. Also proposed are two 6-foot tall sound attenuation walls which will be located in between the structures and the highway. A visual analysis was conducted by Robert Carr in conjunction with the Morro Group Inc. in June of 2005. Recommendations from this visual analysis are included as mitigation measures to reduce visual impacts to a less than significant level.

Mitigation/Conclusion. Mitigation measures are proposed to reduce visual impacts along the

3-25

highway 101 corridor. These measures include vegetative screening, larger setbacks from the highway, visual treatment of the proposed sound walls and a lighting plan to be reviewed by the County. Please refer to the mitigation summary table at the end of this document for specific mitigation measures. These mitigation measures reduce all aesthetic impacts to a less than significant level.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: Arbuckle fine sandy loam, (0 - 2% slope), Elder loam, (0 - 5 % slope), Pits (NA slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV", and the "irrigated" soil class is "I to II".

Impact. The project is located in an agricultural area with agricultural activities occurring on the property (vineyards). The Natural Resource Conservation Service (NRCS) conducted an on site evaluation of the soils specific to the property (NRCS letter dated August 25, 2004 attached). The NRCS soil investigation found that one acre of the property is Class II (irrigated), 8.9 acres is Class III (irrigated), and 0.8 acres is Class IV (irrigated). The project is sited so that there will be no development on the Class II soils. The development is sited at the north-eastern portion of the property which will include a building envelope of approximately 70,000 square feet of the 9 acre parcel. The remainder of the property outside the 70,000 square foot building envelope is to remain as vineyards. This project was also referred to the County Agricultural Commissioners office for review, and their response dated October 1, 2004 (attached) included mitigation measures to reduce any agricultural impacts to a less than significant level. Because approximately 7.4 acres is to remain vineyards, and there will be no construction on the Class II soils, there are no significant impacts to agricultural resources.

Mitigation/Conclusion. Because approximately 7.4 acres is to remain vineyards, there will be no construction on the Class II soils, and the project has been sited and designed to remove the least amount of the existing vineyard feasible. Please refer to the mitigation summary table at the end of this document for specific mitigation measures which reduce impacts to agricultural resources to a less than significant level.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 70,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Your project site occurs within a region identified as potential vernal pool habitat. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species. The Natural Diversity Database also identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species.

A site visit of the project site was made on July 15, 2004 and again on November 26, 2004 by Ryan Hostetter, project manager, to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At this time, no evidence of vernal pools or potential areas for ponded water was observed. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. Therefore, there was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools. Plants: None

Wildlife: San Joaquin Kit fox (*Vulpes macrotis mutica*) with mitigation ratio of 3:1.

Habitats: Critical Vernal Pool habitat app. 0.4 miles northeast of property.

Impact. A "San Joaquin Kit Fox Habitat Evaluation Form" was prepared by Julie Eliason on September 1, 2005. The evaluation form was reviewed by Bob Stafford of the California Department of Fish and Game. The evaluation, complete with Mr. Stafford's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). The project will result in the permanent disturbance of 1.6 acres of kit fox habitat.

Mitigation/Conclusion. Mr. Stafford recommended that specific measures be implemented to effectively mitigate impacts to San Joaquin kit fox (personal communication August 31, 2005). The applicant will be required to mitigate the loss of 1.6 acres of kit fox habitat (1.6 acres multiplied by a 2:1 ratio) by one of the following ways: Deposit of funds to an approved in-lieu fee program; provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or purchase credits in an approved conservation bank. At this time, there is no approved Conservation Bank that is operational in San Luis Obispo County. If none of the other three alternatives are available, the applicant may enter into a Mitigation Agreement with the Department of Fish and Game, including depositing funds into an escrow account (or other means of securing funds acceptable to the Department) which would assure the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for

management. To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

The implementation of the above measures will mitigate biological impacts to a level of insignificance. Please refer to the mitigation summary table at the end of this document for specific mitigation measures.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Salinan. . No historic structures are present and no paleontological resources are known to exist in the area.

Impact. The project site has been consistently disturbed over many years due to agricultural activity (i.e. grading and disking of soils). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and mitigation measures are proposed in case resources are discovered during ground disturbing activities.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate.

Active faulting is known to exist on or near the subject property app. 2.5 miles from property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. The proposed project site for the subject project is not located within the Geologic Study area, and is not within an area of high liquefaction potential therefore the project is not subject to a geological report.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Salinas River) from the proposed development is approximately 0.5 miles to the east. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered moderately to well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – The soil types include: Arbuckle fine sandy loam, (0 - 2% slope), Elder loam, (0 - 5 % slope), Pits (NA slope). As described in the NRCS Soil Survey, the soil surface is considered to have Moderate to High erodibility and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 70,000 square feet which includes the entire building envelope, driveway, and outdoor fenced in yard areas for the buildings. The site does not require major grading as the driveway is existing, and the slope of the property is nearly level. Minor improvements to the driveway will occur for widening and re-surfacing.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The west side of the site borders Highway 101 and the Southern Pacific railroad tracks lie to the east of the property. The topography of the site is nearly level which allows for noise from the railroad and the highway to directly impact the proposed development site. In reviewing the County's Noise Element, the noise contour maps indicated that the site could be in the range of 60 to 70 dbA. The county considers a residential care facility to be a sensitive noise receptor..

Impact. As proposed, future residents and employees in the new care facility may be exposed to unacceptable levels from nearby road-related and railroad-related noise, which is considered a potentially significant effect. Indoor and outdoor activity areas could exceed the standards of the Noise Element.

Mitigation/Conclusion. A noise study was conducted by The Morro Group Inc. on May 13, 2005 which included mitigation measures for both interior and exterior noise levels. These mitigation measures include: construction techniques to increase insulation/barriers between the inside and outside of the structure, use of exterior barriers (sound walls) and setbacks to reduce noise levels in the outdoor activity areas. Please refer to the mitigation summary table at the end of this report for specific measures. These measures reduce both interior and exterior noise impacts on the project to a less than significant level.

9. POPULATION/HOUSING - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. POPULATION/HOUSING -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicabled) *Use substantial amount of fuel or energy?*☐☐☒☐e) *Other:* _____☐☐☐☐

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Fire protection?*☐☒☐☐b) *Police protection (e.g., Sheriff, CHP)?*☐☒☐☐c) *Schools?*☐☒☐☐d) *Roads?*☐☐☒☐e) *Solid Wastes?*☐☐☒☐f) *Other public facilities?*☐☐☒☐g) *Other:* _____☐☐☐☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Meridian station 36) is approximately 9 miles to the (east). The closest Sheriff substation is in Templeton, which is approximately 9 miles from the proposed project. The project is located in the Paso Robles Joint Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3-34

12. TRANSPORTATION/ CIRCULATION - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

i) Other: _____

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Setting. Future development will access onto the following public road(s): Monterey Road. The identified roadway is operating at acceptable levels (LOS A). Referrals were sent to Public Works/Caltrans. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 77 trips per day, with 4 trips occurring during the morning peak hour and 6 trips occurring during the afternoon peak hour based on the Institute of Traffic Engineer's manual for "Assisted Living" (ITE Code 254). It is estimated that approximately 75% of the project trips will be oriented to and from the south on US101, with the remaining 25% oriented to and from the north. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

Mitigation/Conclusion. A Traffic Impact Report was conducted for the proposed project on February 25, 2005 by Larry D Hail P.E. of Pinnacle Traffic Engineering. The study specifically evaluated potential project impacts at the US101/Exline Road and US101/Stockdale Road-Monterey Road intersections during the afternoon peak hour, and evaluated safety and access issues that may present an impact on the proposed project. Based on these evaluations the traffic report found the proposed project will not have a significant impact on traffic safety or traffic volumes. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?

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b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?

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c) Adversely affect community wastewater service provider?

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d) Other: _____

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Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation, floods. These limitations are summarized as follows:

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that

3-35

shows the leach area can adequately percolate to achieve this threshold.

Flooding – this characteristic is applied when there is a temporary inundation in an area that is subject to overflowing streams, caused by surface runoff from adjacent slopes or by tides. "Occasional" flooding refers to the area being flooded on the average once or less every two years. "Frequent" flooding refers to the area being flooded on the average once or more every two years.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. A Geotechnical Engineering and Percolation report was conducted by Buena Geotechnical on June 3, 2004. Three percolation borings were drilled which ranged from 15 to 30 min/inch for their percolation rates. Based on the proposed plans, adequate area appears available for an on-site system. Nothing above what is already required by the ordinance is required to reduce wastewater impacts to a less than significant level.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. The project site contains an existing well which is currently used to irrigate the vineyard. The same well will be used to supply water for the proposed project. On March 31, 2004 a pump test was conducted by Miller Drilling Co. which showed a minimum of 32 gpm.

The topography of the project is nearly level. The closest creek (Salinas River) from the proposed development is approximately 0.5 miles away. As described in the NRCS Soil Survey, the soil

surface is considered to have moderate to high erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 70,000 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 7.84 acre feet/year (AFY) (this estimate does not include water used for the existing vineyard)

$$28 \text{ beds in the facility @ } 0.280 \text{ afy} = (0.280 \text{ afy}) \times 28 \text{ beds} = 7.84 \text{ afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures

3-31

above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

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b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

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c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

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For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	None
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>County Fire</u>	In File**
<input checked="" type="checkbox"/>	Other <u>City of Paso Robles</u>	None

** "No comment" or "No concerns"-type responses are usually not attached

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

3-39

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Traffic Impact Report, Larry Hail, Pinnacle Traffic Engineering, February 25, 2005

Noise Study Report, Morro Group, May 13, 2005

Visual Impact Assessment, Morro Group, June 2005

Pump Test Report, Miller Drilling Co, March 31, 2004

Geotechnical Engineering and Percolation Report, Buena Geotechnical Services, June 3, 2004

Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 **Prior to issuance of a building permit** the applicant shall submit a revised landscape plan to show the following:
- The applicant shall provide landscaping that visually screens 70 percent of the building structures as seen from the Highway 101 within 5 years.
 - A minimum of 20 more trees shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Tree species shall be drought tolerant and shall use very low amounts of water. All trees along the western and southern sides of the development shall be planted from 24-inch box containers.
 - A minimum of 20 or more shrubs shall be added to the existing landscape plan (sheet L-1) along the western and southern sides of the buildings. Shrub species shall be drought tolerant and shall use very low amounts of water. All shrubs along the western and southern sides of the development shall be planted from a minimum 5-gallon containers.
 - A maintenance plan shall be submitted that ensures the establishment of all plant material and replacement of all plants that die within a period of 5 years.
 - The landscape plan shall be fully implemented and inspected by a qualified landscape architect prior to issuance of final occupancy permits for the first residential unit.
- V-2 **Prior to occupancy or final inspection, the applicant,** in order to reduce short term visual impacts caused by the visibility of the upper portion of the sound walls and the potential for reflective coloring, shall treat the highway-facing side of the retaining walls with either of the following:
- Painted grey-green to compliment the buildings
 - Faced with rock to match the application of the building
 - Clad with vertical wooden boards to appear as a residential fence (this option shall also be painted a dark color)
- V-3 **Prior to issuance of a construction permit,** the applicant shall submit a lighting plan which shall show a minimum of the following:
- The point source of all exterior lighting shall be shielded from off-site views.
 - Light trespass from exterior lights shall be minimized by using full-cutoff shielded lights.
 - Exterior security lighting shall be activated by motion detecting sensors.
 - The lowest level of illumination allowed by public health and safety codes and ordinances shall be designed and implemented.

Agricultural Resources

- AG-1 At the time of application for construction permits, the applicant shall demonstrate on the construction plans, the location of the care facility located to minimize vineyard removal. This location shall be consistent with the revised site plan submitted on July 19, 2005.

3-41

- AG-2 **Prior to issuance of a construction permit**, the applicant shall establish an agricultural easement for the portion of the site supporting vineyard operations. The easement shall prohibit future development of non-agricultural structures and limit any agricultural structures to a total of 600 square feet.
- AG-3 The applicant shall provide supplemental disclosure to purchasers/occupants of the facility concerning the nature of the on-site and neighboring agricultural activities and the county's Right-to-Farm Ordinance. Notification shall include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated vineyards. This would include, but not be limited to, noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Noise

- N-1 **Prior to issuance of a construction permit**, the applicant shall show the following on the construction plans for review and approval:
- a. Site layout shall include setbacks, open space separation, and shielding of noise-sensitive uses with non noise-sensitive uses. This shall be consistent with the revised site plan submitted on July 19, 2005 which shows the care facility in between the highway and the rail-road tracks.
 - b. Acoustic treatments included in the design of all structures (i.e. insulation and window treatments)
 - c. Structural measures: construction of noise barriers (i.e. proposed 6 foot sound wall)

Biological Resources

San Joaquin Kit Fox

The Kit Fox Evaluation, which was completed for Mr. & Mrs. Tucker [DRC2004-00003], on September 1, 2005 by Julie Eliason (county biologist), indicates your project will impact 1.6 acres of San Joaquin kit fox habitat. The project earned a score of 66 on the evaluation, which requires that all impacts be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 3.2 acres, based on 2 times 1.6 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should your project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

- BR-1 **Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:
- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.2 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

342

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$[Amount of fee based on \$2500 per acre]. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 3.2 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 3.2 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

3-43

- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d. In addition, the qualified biologist shall implement the following measures:
1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction,

In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

3-44

- BR-4 **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BR-5 **Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- BR-6 **During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 **During the site-disturbance and/or construction phase**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 **During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 **Prior to, during and after the site-disturbance and/or construction phase**, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 **During the site-disturbance and/or construction phase**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.

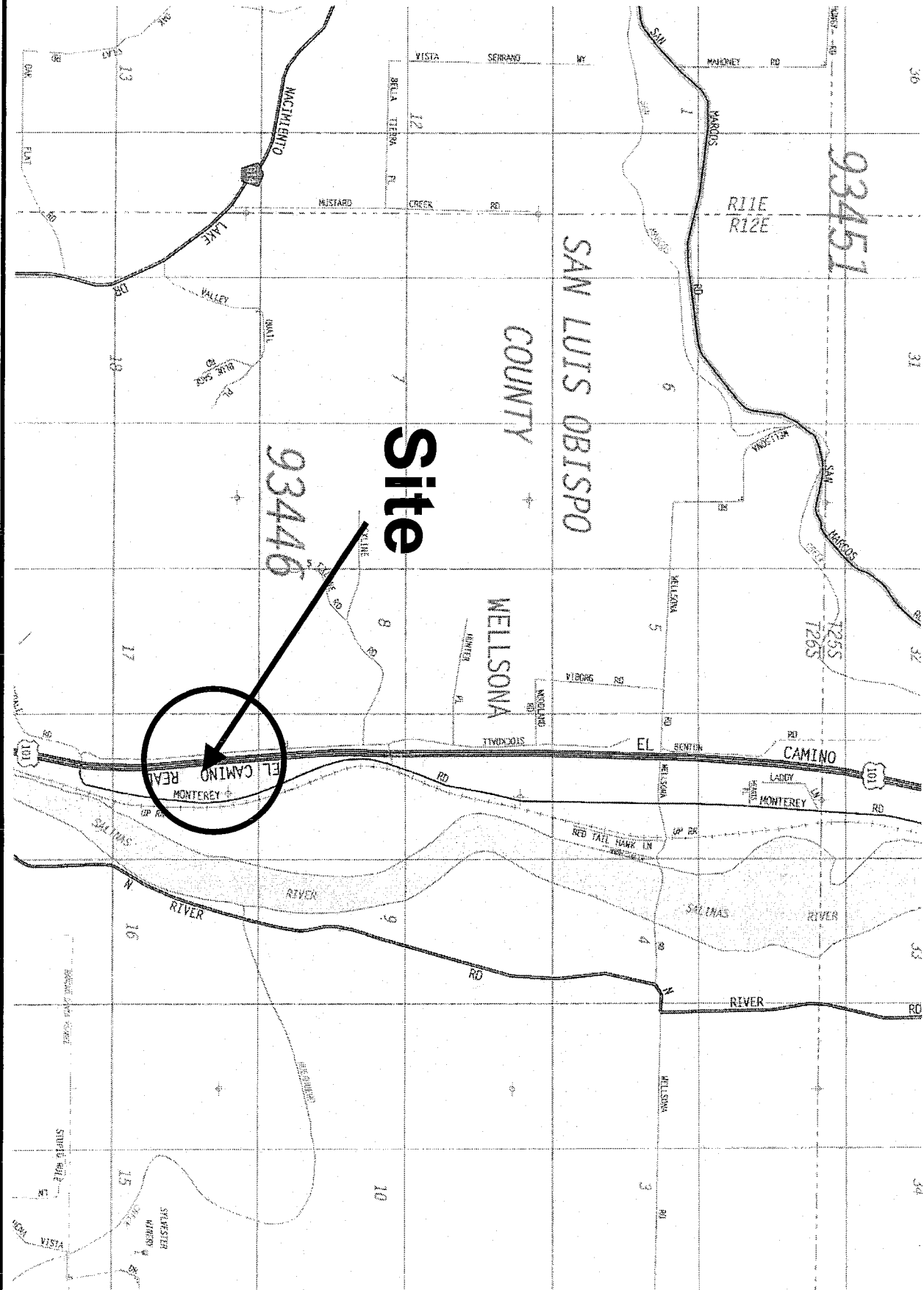
3-45

BR-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

3-46

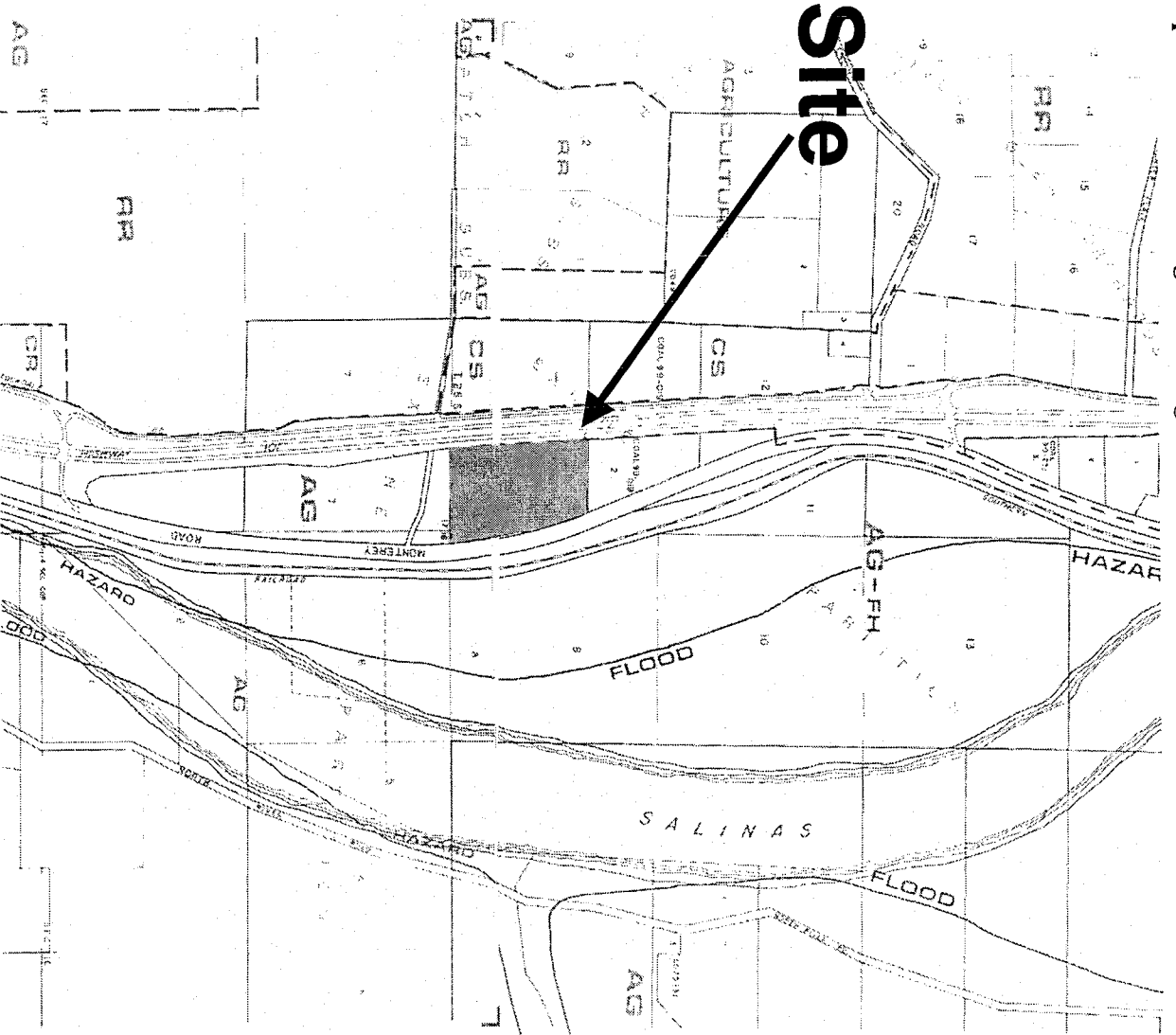


Project
Conditional Use Permit
Tucker/ DRC2004-00003



Exhibit
Vicinity Map

3-47

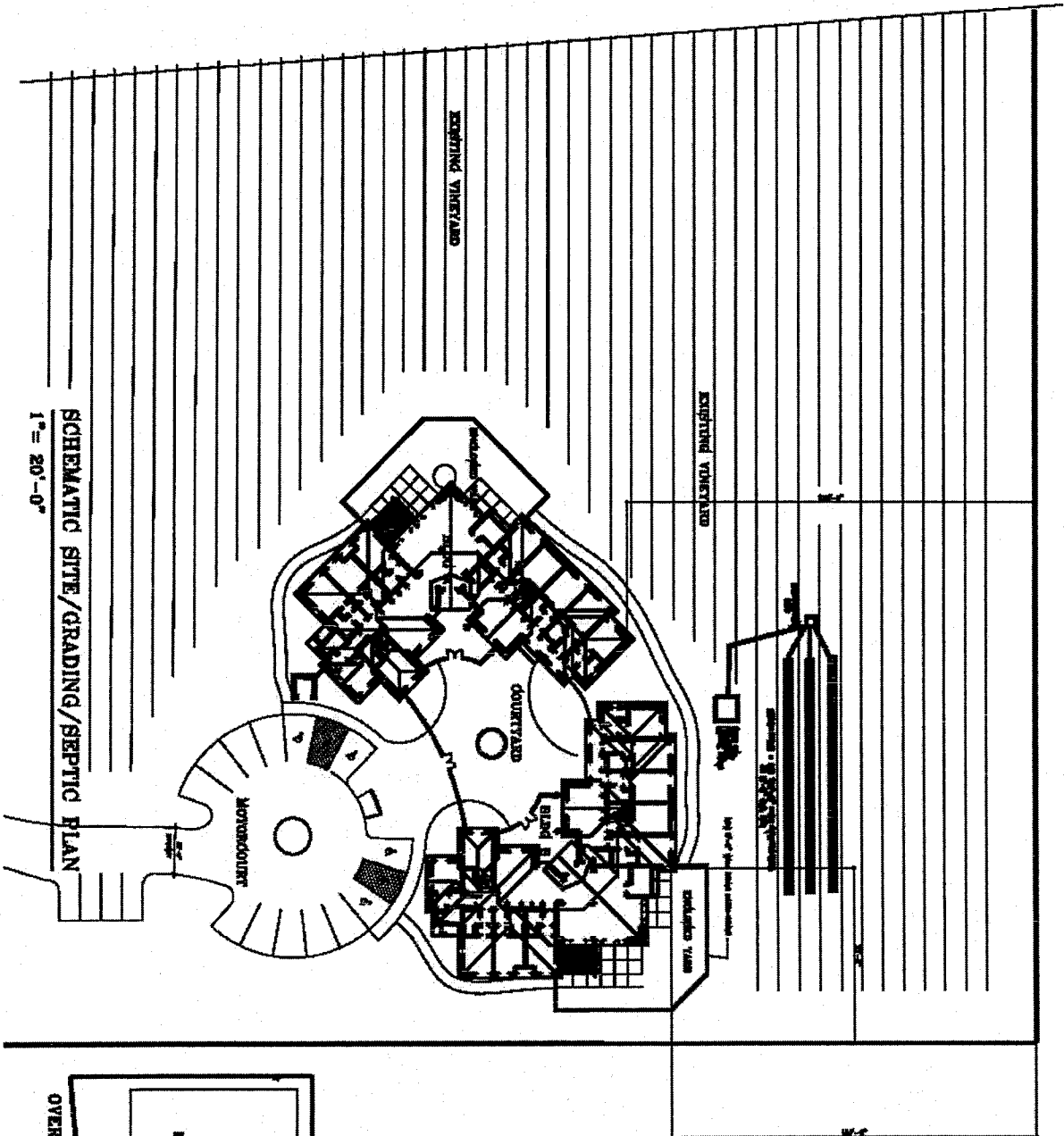


Project
Conditional Use Permit
Tucker/ DRC2004-00003

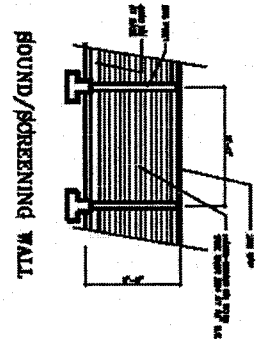


Exhibit
Land Use Category Map - Agriculture

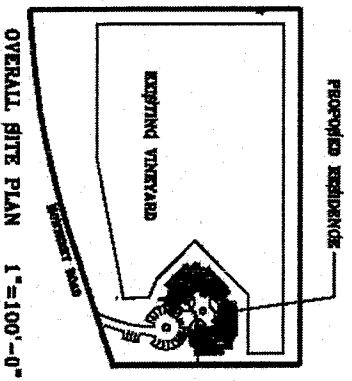
3-48



SCHEMATIC SITE/GRADING/SEPTIC PLAN
1" = 20'-0"



BOUND/SCREENING WALL



OVERALL SITE PLAN 1" = 100'-0"

<p>Ada's Vineyard Lodge A Senior Residential Facility Monterey Road Paso Robles, CA APH: 020-141-000</p>		<p>ERNIE KIM ARCHITECT 1000 PALMA BLVD. SUITE 200 SAN LUIS OBISPO CA 93401 805.546.0070 TEL. 805.546.7000 FAX</p>	
<p>DATE: 01-11-05 BY: ERNIE KIM CHECKED: TUCKER APPROVED: ERNIE KIM PROJECT: ADA'S VINEYARD LODGE SHEET: C-1</p>			

Project
Conditional Use Permit
Tucker/ DRC2004-00003

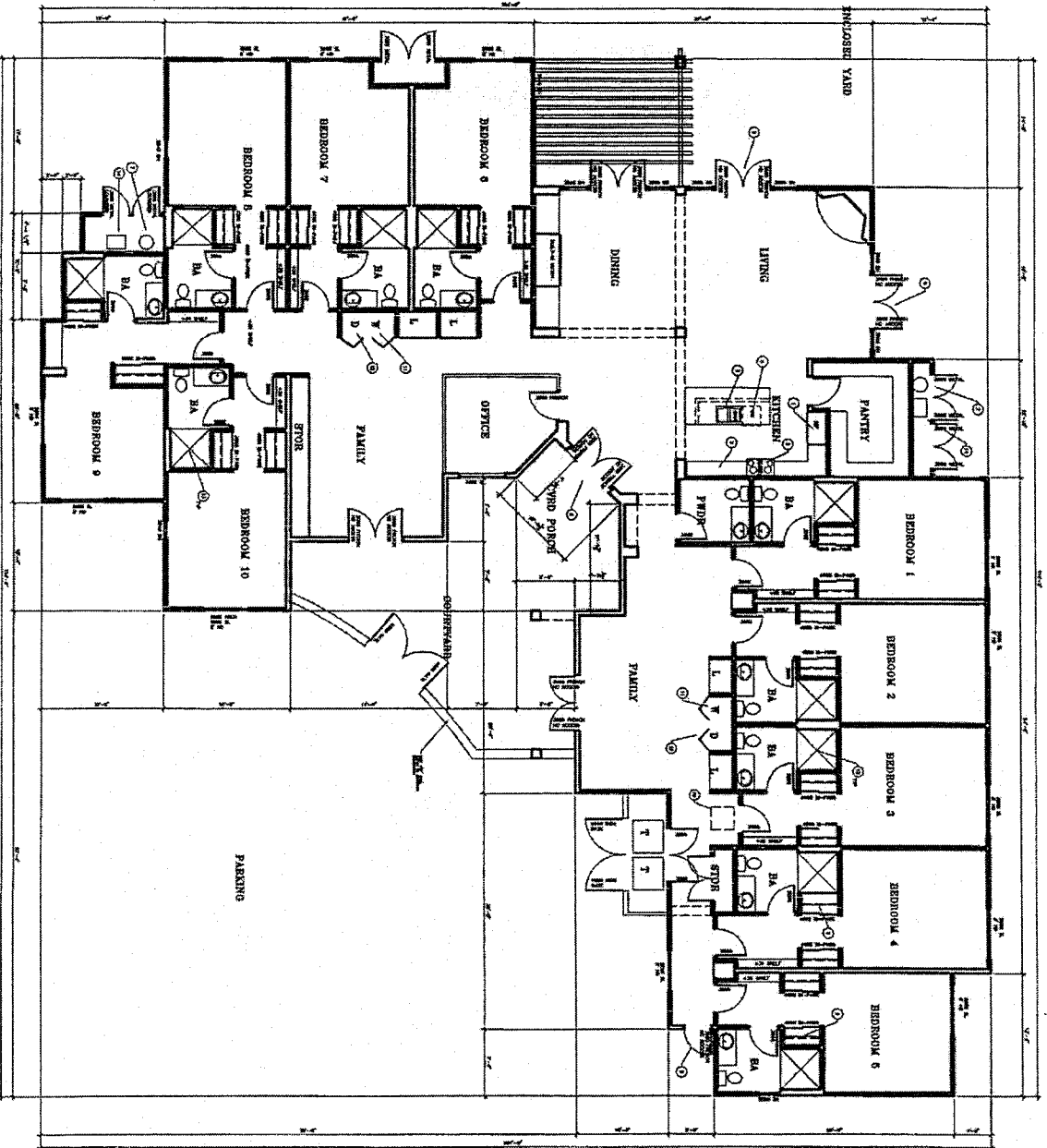


Exhibit
Site Plan (Revised as of July 2005)

REFERENCE NOTES

① For further information, please refer to the following references:

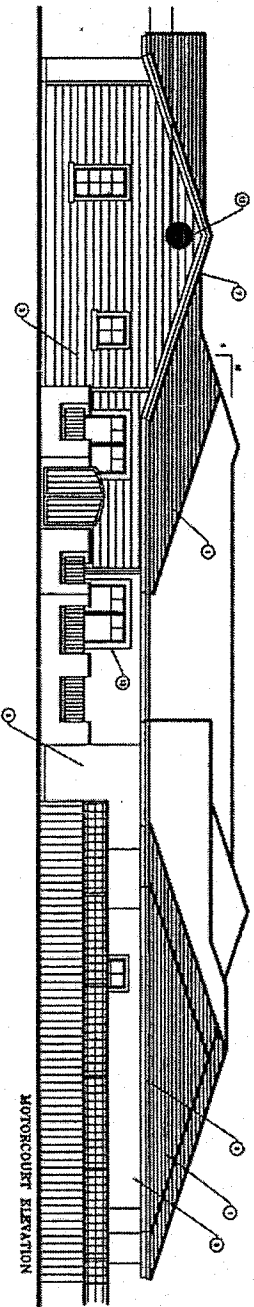
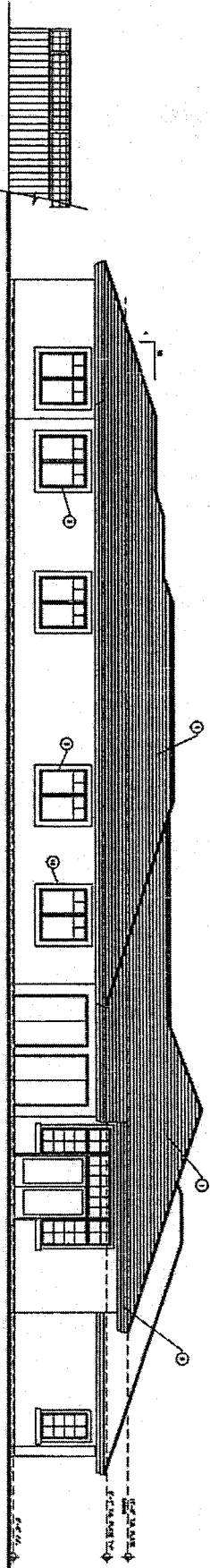
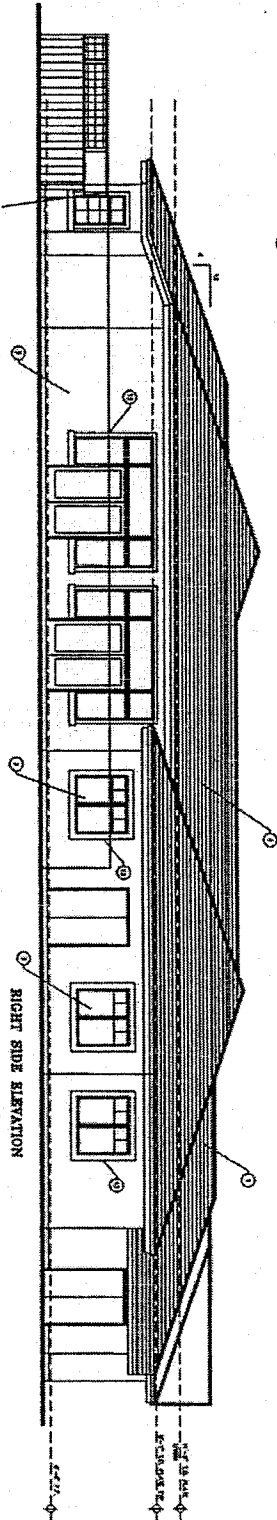
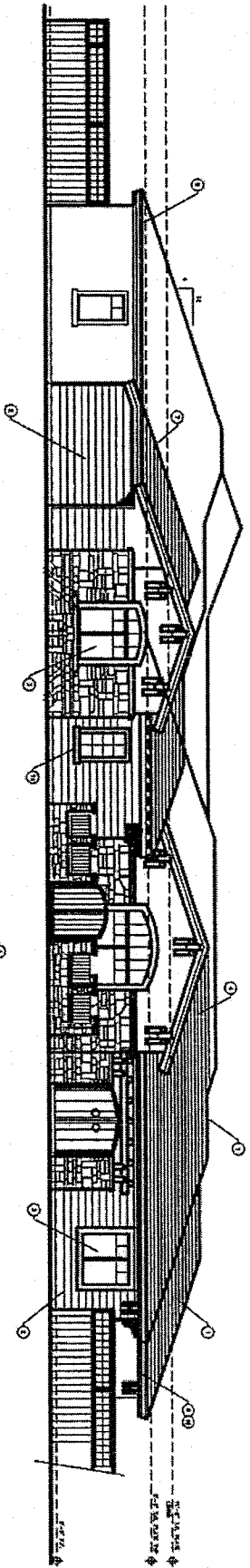
1. See page 145, pp. 10, 11.
2. Includes soil and geologic studies. For system and
3. Substratum description.
4. Does not deal specifically with biological, chemical, or physical characteristics.
5. Includes biological, chemical, and physical characteristics.
6. Major design, including 12 and 13, but not approved plant.
7. See page 145, pp. 10, 11.
8. See page 145, pp. 10, 11.
9. See page 145, pp. 10, 11.
10. See page 145, pp. 10, 11.
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PROPOSED FLOOR PLAN 3/16=1'-0"

DATE APPROVED BY DATE		PROJECT NAME ADDRESS COMMENTS		ERNIE KIM ARCHITECT 1880 SANTA BARBARA SUITE 201B SAN LUIS OBISPO CA 93401 805.945.0878 TEL. 805.245.7020 FAX	
A-1		Ada's Vineyard Lodge A Senior Residential Facility Monterey Road Paso Robles, CA APN: G26-141-008			

3-50



EXTERIOR ELEVATIONS

1"=4'-0"

REFERENCE NOTES

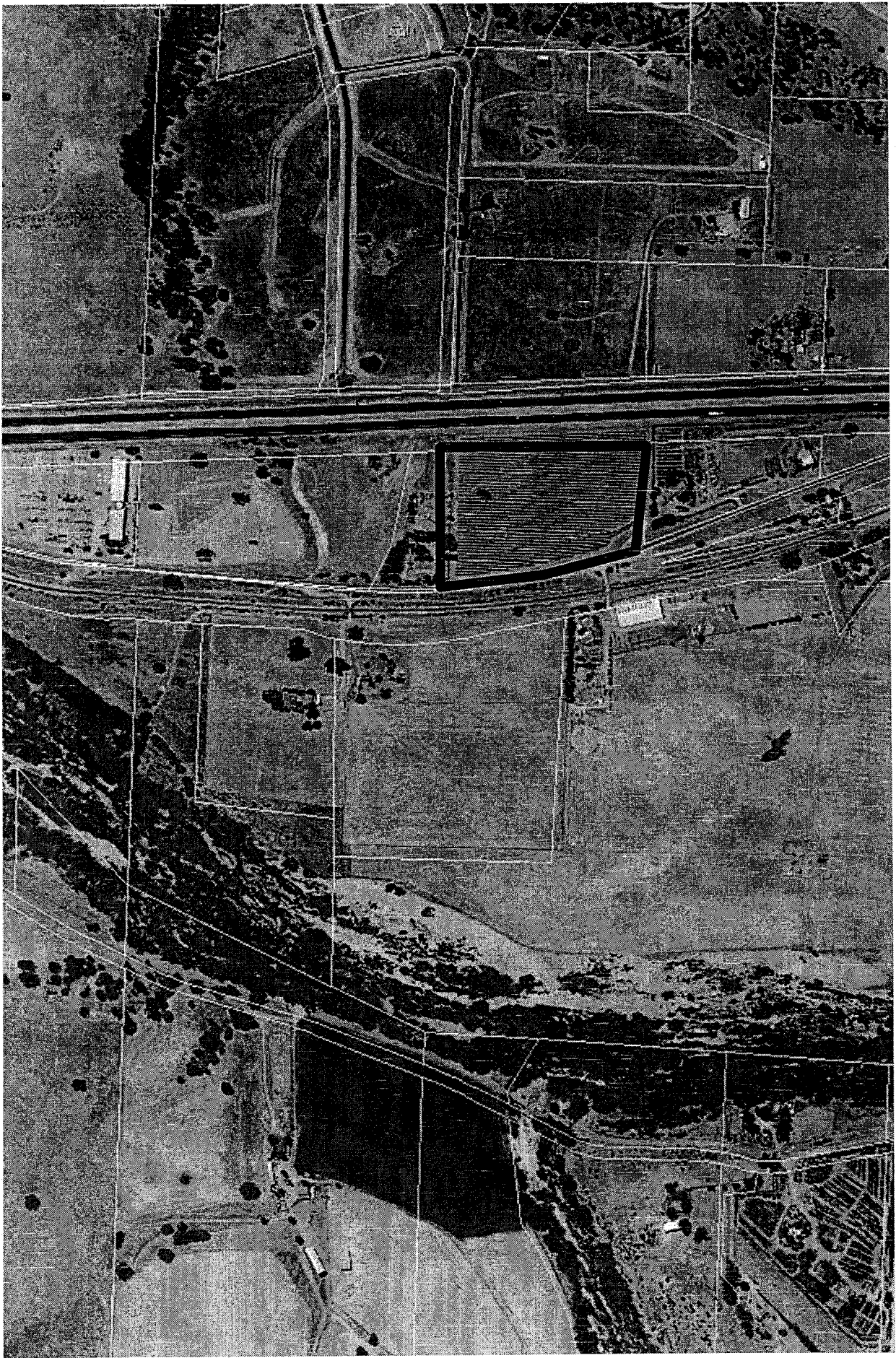
1. Put concrete roof over minimum 4" underlayment. Roofing and insulation to comply with USC. Install in accordance with manufacturers' specifications.
2. MAKE LANTERN COLOR TO BE SELECTED STYLE TO BE SELECTED
3. Cementitious top siding over building paper.
4. MAKE BLANK-BOARD STYLE CEMENT.
5. Vinyl windows. Provide and install flashing at all joints.
6. MAKE METALOID STYLE CLAND.
7. Allie walls: Provide attic ventilation minimum 1 sq. ft. of area for each 150 sq. ft. of ventilated area. Verify location and number with contractor. Cover openings with corrosion resistant metal mesh with mesh openings of 1/4".
8. 0800. Refer to Allie Ventilation Calculations and Roof Plan.
9. Exterior cement plaster.
10. MAKE LA BARRA COLOR TO BE SELECTED

Project
Conditional Use Permit
Tucker/ DRC2004-00003



Exhibit
Elevations

3-51



Project
Conditional Use Permit
Tucker/ DRC2004-00003



Exhibit
Aerial View

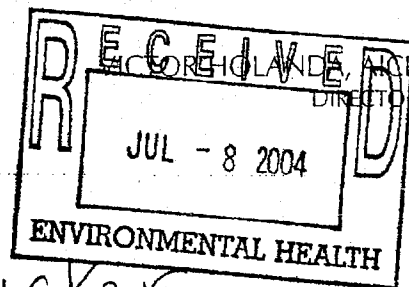


3-57
Look at Charnley, too.
7

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

DRC 2004-00003

THIS IS A NEW PROJECT REFERRAL



DATE:

7-7-04

TO:

E.H.

FROM:

North Co. Team

(Please direct response to the above)

Tucker

DRC2004-00004³

Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Dew. Plan → 6000 sq. ft.
in-care, residence facility for the elderly.
Located off Monterey Rd., north of P.R.
See 6th page for plan & details.

Return this letter with your comments attached no later than:

7-22-04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Provide stock conditions for individual wells and septic systems.
Applicant shall contact Marina Michel @ 781-5573 in order
to determine water requirements.

7/21/04

Date

Sauri Sal

Name

781-5577

Phone

3-53

RECEIVED

OCT 01 2004



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards Planning & Bldg

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

ROBERT F. LILLEY

(805) 781-5910

AGRICULTURAL COMMISSIONER/SEALER

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: October 1, 2004

TO: Ryan Hostetter, Planner II

FROM: Lynda L. Auchinachie, Agriculture Department *LLA*

SUBJECT: Tucker Conditional Use Permit DRC2004-00032 (0918)

Summary

The Agriculture Department's review finds that the proposal for a 12,000 square foot residential care facility with associated amenities on an approximately nine-acre project site within the Agriculture land use category would result in **less than significant impacts** to agricultural resources or operations with the incorporation of the following mitigation measures into the project.

Recommended Mitigation Measures

1. The location of the care facility should be relocated to minimize vineyard removal. A location closer to Monterey Road would reduce the length of the driveway and vineyard removal/impacts.
2. The establishment of an agricultural easement for the portion of the site supporting vineyard operations is recommended. The easement should prohibit future development of non-agricultural structures and limit any agricultural structures to a total of 600 square feet.
3. Provide supplemental disclosure to purchasers/occupants of this facility concerning the nature of the on-site neighboring agricultural activities and the county's Right-to-Farm Ordinance. Notification should include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated vineyards. This would include, but not be limited to, noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

3-54

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

A. Project Description and Agricultural Setting

The applicant is requesting to develop a 12,000 square foot residential care facility and associated amenities on an approximately nine-acre project site located at 5317 Monterey Road, 1.5 miles north of the Paso Robles. The project site is located within an area bordered by Highway 101 to the west and Monterey Road to the east. Surrounding properties east of Highway 101 are located within the Agriculture land use category.

At the applicant's request, the Natural Resources Conservation Service (NRCS) evaluated the soils. The NRCS identified Class III irrigated soils in the area of proposed development. While this classification is different from what is identified in the Soil Survey (Soil Conservation Service, 1983), it is believed to be accurate because of the on-site investigation (see attached).

The project site is currently developed with a wine grape vineyard. Adjacent properties to the north and south are predominantly developed with non-agricultural uses that preclude future intensification of agricultural crop production. It should be noted that a one-half acre apple orchard is located adjacent to the northwestern property boundary. Irrigated pastures and grazing land are located east of Monterey Road/railroad tracks.

B. Impacts to On-Site Agricultural Resources

The Agriculture Department is concerned about the increase of non-agriculturally related uses, such as the proposed project, on agricultural lands. Such developments result in the conversion of agricultural resources and introduce land uses that often conflict with surrounding agricultural activities. The Agriculture Department recognizes that several non-agriculturally related uses are allowed within the Agriculture land use category and will continue to evaluate each project individually as well as consult with the Planning Department regarding potential changes to allowed uses in the Agriculture land use category.

The proposed project would result in the conversion of approximately 1.5-acres of wine grape vineyards on Class III soils to a non-agricultural use. The applicant has indicated that the remaining seven-acres of vineyard will be managed as an ongoing vineyard operation. To minimize the conversion of agricultural resources, the Agriculture Department recommends redesigning the project layout as described below and establishing an agricultural easement to prohibit additional conversion of the vineyards.

Residential care facilities often require buffering from off-site agricultural uses. In this situation, the vineyard is located on the same site as the residential care facility and the

3-55

same owners will manage the vineyard activities. For this reason, buffering per policy ranges is not required or considered necessary, as the owners will have the ability/incentive to manage potential land use conflicts. However, relocating parking to create additional separation between the facility and the vineyards could be considered as part of the project layout redesign.

C. Impacts to Adjacent Agricultural Lands

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term viability of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and existing production agriculture. Agricultural buffers are the most effective method of addressing conflicts between the non-agriculturally related developments and adjacent agricultural activities. These conflicts include, but are not limited to, noise, dust, odors, and legal pesticide use.

Properties to the north and south of the project site do not have production agriculture currently establish and the potential for future intensification that may be impacted by the proposed project has been precluded by development. There is adequate linear separation between the project and the irrigated pastures and grazing land located east of Monterey Road, thus additional buffering is not recommended.

D. Recommended Mitigation Measures

1. The location of the care facility should be relocated to minimize vineyard removal. A location closer to Monterey Road would reduce the length of the driveway and vineyard removal/impacts.
2. The establishment of an agricultural easement for the portion of the site supporting vineyard operations is recommended. The easement should prohibit future development of non-agricultural structures and limit any agricultural structures to a total of 600 square feet.
3. Provide supplemental disclosure to purchasers/occupants of this facility concerning the nature of the on-site neighboring agricultural activities and the county's Right-to-Farm Ordinance. Notification should include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated vineyards. This would include, but not be limited to, noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

If we can be of further assistance, please call 781-5914.

3-56

7



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

Ryan

KH

VICTOR HOLANDA, AICP
DIRECTOR

JUL - 8 2004

THIS IS A NEW PROJECT REFERRAL

DATE:

7-7-04

TO:

PW

FROM:

North Co. Team

(Please direct response to the above)

Tucker

DRC2004-000043

Project Name and Number

Development Review Section (Phone: 781-788-2009) ()

PROJECT DESCRIPTION:

Dew. Plan → 6000 sq. ft.
in-care, residence facility for the elderly.
Located off Monterey Rd., north of P.R.
See 6th page for plan & details.

Return this letter with your comments attached no later than:

7-22-04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES (Please go on to Part II)☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO (Please go on to Part III)☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval — NEW DRIVEWAY REQUIRES AN ENCROACHMENT PERMIT.
OVERALL SITE PLAN IS INCOMPLETE — LOCATION OF: WELL; SEPTIC TANK & LEACH FIELD; ANY
NEIGHBOR FACILITIES CLOSE BY; TOPO. WHY SET BACK 30 FEET FROM MONTEREY RD (CLOSE TO HWY & NOISE)? WATER STORAGE TANK & FIRE FACILITIES?

13 AUG 2004
DateGRODWIN
Name5252
Phone

3-57



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

November 24, 2004

Chuck Stevens, Supervising Planner
Dept. of Planning and Building
County Government Center
San Luis Obispo, Ca. 93408

Subject: Tucker Residential Care Facility DRC2004-00003

Dear Mr. Stevens,

I have reviewed the referral for the Tucker Residential Care Facility DRC2004-00003 project proposed at Monterey Road and Hwy 101 north of Paso Robles. The project is within a moderate fire severity zone with a 10 minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2001 California Fire Code (CFC), the 2001 California Building Code (CBC), the Public Resources Code (PRC), State Title 19 (State Fire Marshal Requirements) and any other applicable fire laws that apply to a R2.2 or other identified occupancy designation(s).

Concerns:

- Project has a long response time for this type of occupancy. The closest fire engine is 10 minutes away. This type of occupancy is better served by a 5 minute or less response time.
- Project is not on a community water system, therefore water requirements will be based on rural standards not normally associated with this type of occupancy.

Roof Coverings:

The roof type will have to be consistent with the requirements of Table 15A of the 2001 CBC and no less than a Class B roof.

Roof Access:

- All buildings over 18 feet in height will have fixed laddering at two exterior remote locations or provide landscaping which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof.

3-58

Fire Flow Requirements outside Community Water Systems:

- Complexes that have multiple buildings with at least one of those buildings exceeding 20,000 square feet will require a water system that complies with CFC Appendix IIIA
- If it is determined that a draft Rural Water System is applicable and the building is less than 5000 square feet, then NFPA 1124 will be used to calculate water storage capacity.
- If it is determined that a draft Rural Water System is applicable and the building is greater than 5000 square feet requiring a sprinkler system, then NFPA 13 will be used to calculate water storage capacity.

Water Supply Connection:

Fire hydrants are to be located as outlined in Appendix III B of the CFC. Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

Fire Protection Systems:

A Fire Alarm System is required as outlined in CBC 310.10 for all buildings over 2000 sq. ft. The alarm system shall terminate at a 24-hour monitoring point (CFC 1003.1). Two sets of plans shall be submitted to the County Fire Department for approval.

This project will require installing fire sprinkler system in all buildings regardless of size. The type of sprinklers required is a NFPA 13 system. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, 231, 20, 22. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC 1003.1.1. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be located within 20 feet of a County standard hydrant and visible on fire engine approach to the building. A letter from the monitoring company shall be submitted to the County Fire Department verifying service.

Technical Report:

A Fire Protection Engineer shall review the Fire Protection Systems for this project (CFC 103.1.1). A list of Fire Protection Engineers is available on our website at <http://www.cdfslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

Portable Fire Extinguishers:

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 1002 and Standards 10-1. The contractor shall be licensed by the State Fire Marshal.

Exiting:

All egress and exiting requirements shall comply with the California Building Code to provide egress from the building to the public way. All exiting must meet the requirements specified for a R2.2 or greater occupancy.

Building Set Backs:

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section

3-59

1276.01.

Note: Setbacks are subject to County Planning Department approval.

Defensible Space and Construction Type:

Each building site will be built with a "Defensible Space". PRC 4291 requires all structures to have a 30 to 100 feet clearance of flammable vegetation. This does not mean all vegetation must be removed but that the vegetation shall not provide a means of readily transmitting fire. Building sites should be located so that the structure is not directly above or below a topographic "chimney." The construction type should be designed to withstand a wildfire. This would include a class B roof, unexposed venting, fire resistant exterior walls, unexposed rafters, windows appropriately placed, LPG tanks properly placed, fire resistive decks and balconies, and other fire resistive construction techniques. All landscaping should be of fire resistive plants, preferably natives.

Commercial Access Road:

- A commercial access road must be 20 feet wide for two way traffic.
- A commercial access road must be 16 feet wide for one way traffic (only allowed in limited circumstances).
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 902.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a 20 ton fire engine.
- Vertical clearance of 13'6" is required (See Exhibit 5).

Gates:

- Must be setback from the road 30 feet from the intersection.
- Must automatically open with no special knowledge.
- Must have a KNOX key box for fire department access.
- Gate must have battery back up.
- Gate must be 2 feet wider than the road on each side.
- Gates must have a turnaround located at each gate.

Addressing:

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 5 inches high with a 1/4" stroke. All occupancies shall have a distinct address. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility. CFC 901.4.4.

Fire Safety during Construction:

Prior to construction, an operational water supply system and established access roads must be installed. CFC Section 902 & 903. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

Emergency Plans:

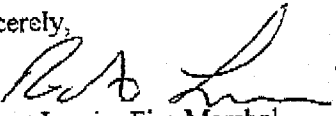
A written emergency plan will be developed and written for medical aids, structure fires, wildland fires and other types of emergencies. This plan should include an inventory of equipment and its

3-60

location, trained personnel and their responsibilities, evacuation procedures of buildings, trails and other facilities, identification of safe refuge areas, facility evacuation and any other pertinent information. The plan should include a site map. NFPA 299 Chapter 10, NFPA 1620

If I can provide additional information or assistance on this mater please don't hesitate to contact me at (805)543-4244.

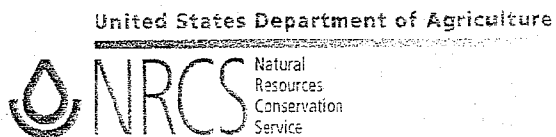
Sincerely,



Robert Lewin, Fire Marshal
Battalion Chief

cc: Mike Abarca, Battalion Chief

3-61



65 Main St., Suite 108
Templeton CA 93465
(805) 434-0396
FAX (805) 434-0284

August 25, 2004

Gary Tucker
P.O. Box 858
Paso Robles, California 93447

Subject: Soil Investigation on Property at 5317 Monterey Road, Paso Robles, San Luis Obispo County, California

Dear Mr. Tucker:

On August 15, 2004, I met with you at 5317 Monterey Road, Paso Robles, San Luis Obispo County, California. I observed the soils at 4 data points. See the Location Map and Site Map for details. See the table "Field Soils Data for Gary Tucker Property - August 25, 2004" for observations at each data point.

I found 1.0 acres of Land Capability Class II (irrigated), 8.9 acres of Land Capability Class III (irrigated), and 0.8 acres of Land Capability Class IV (irrigated). There is a vineyard with drip irrigation on this property. See the following website for the criteria I used to determine Land Capability Classification.

<http://ca.nrcs.usda.gov/mlra/guides/landcapabcl.html>

I measured these acreages in my Geographic Information System. They are approximations and may not agree exactly with the legal survey of the property.

On-site investigations, like this one, may be needed to determine the soil on small parcels. The Soil Survey of San Luis Obispo County, California, Paso Robles Area (Soil Conservation Service, May 1983) was designed to detect significantly different soils of about 5 acres or more on cultivated land. Because of the natural variability of soils, all soil mapping includes some percentage of other soils.

Thanks for asking.

A handwritten signature in black ink, appearing to read "Ken Oster", is written over the typed name.

Ken Oster

Area Resource Soil Scientist

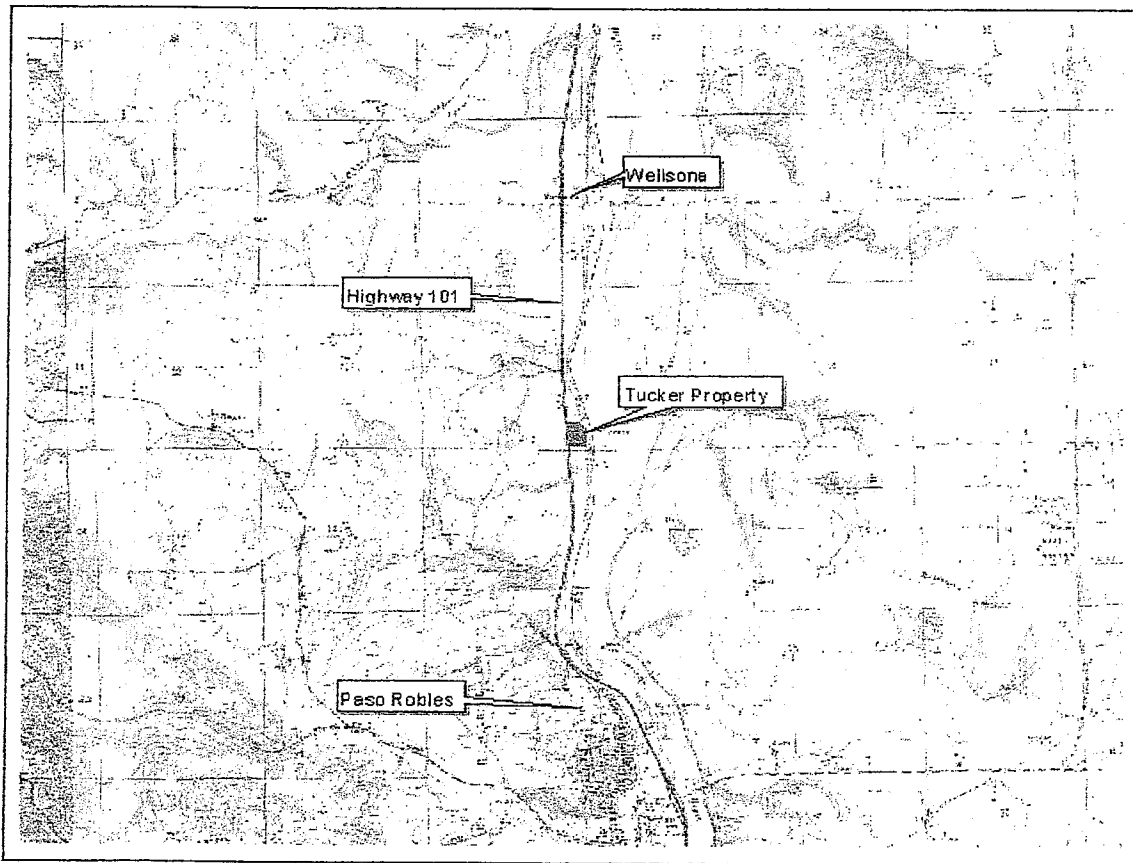
Field Soils Data for Gary Tucker Property - August 25, 2004

[illegible]

3-63

**Location Map
Gary Tucker Property
5317 Monterey Road
Paso Robles, San Luis Obispo County, California**

**August 25, 2004
USDA - Natural Resources Conservation Service**



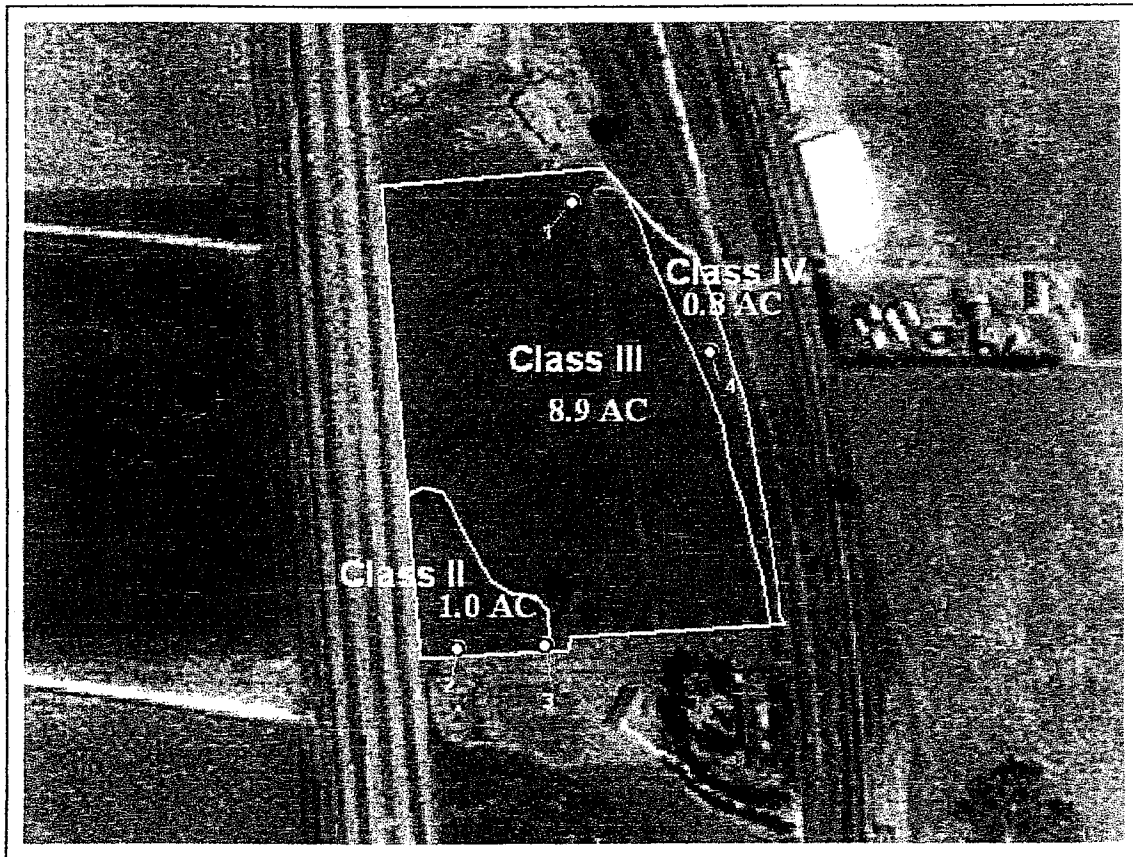
0 2 4 Miles



3-64

Site Map
Gary Tucker Property
5317 Monterey Road
Paso Robles, San Luis Obispo County, California

August 25, 2004
USDA - Natural Resources Conservation Service



0 500 1000 Feet



○ Data Points



Promoting the wise use of land
Helping build great communities

7-1 3-65
**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE November 30, 2004	CONTACT/PHONE Ryan Hostetter (805) 788-2351	APPLICANT Gary and Kathleen Tucker	FILE NO. DRC2004-00003
SUBJECT Request by Gary and Kathleen Tucker for a Conditional Use Permit to allow a Residential Care Facility of approximately 28 residents, the construction of two approximately 6,000 square foot buildings each with its own kitchen and laundry facilities, a 12 space parking lot and motor court, removal of approximately 1.5 acres of vineyards, and walls in between the structures and Highway 101. The project will result in the disturbance of approximately 70,000 square feet of a 9-acre parcel. The proposed project is within the Agriculture land use category and is located on the eastern side of Highway 101 between Paso Robles and San Miguel, approximately 0.6 miles north of the intersection of Monterey Road and Highway 101, approximately 0.3 miles south of the intersection of Exline Road and Highway 101, between Monterey Road and Highway 101, and on the west side of Monterey Road. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Deny Conditional Use Permit DRC2004-00003 based on the findings listed in Exhibit A			
ENVIRONMENTAL DETERMINATION A Statutory Exemption pursuant to California Environmental Quality Act section 15270 was issued on November 9, 2004 (ED04-205)			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION none	ASSESSOR PARCEL NUMBER 026-141-008	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Land Use			
LAND USE ORDINANCE STANDARDS: Setbacks, Height, Density, Intensity, Parcel Size, Residential Care Standards, Signs, Landscape Standards, and Fencing and Screening <i>Does the project conform to the Land Use Ordinance Standards: See Discussion</i>			
EXISTING USES: The site is developed entirely with mature grape vineyard used for agricultural production of wine.			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture/single family residence and orchard South: Agriculture/single family residence East: Agriculture/horse farm West: Highway 101			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

3-66
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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, County Fire, Cal Trans, City of Paso Robles, San Miguel Community Services District	
TOPOGRAPHY: Site is nearly level	VEGETATION: Site currently contains wine grape vineyards
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 31, 2004

BACKGROUND

On occasion the Planning Department finds it cannot support a proposed land use due to a variety of concerns such as the use is simply not appropriate for the subject site, or that it cannot be mitigated with conditions or project revisions. In this instance, concerns include site constraints, conflicts with adopted General Plan policies, potential for health and safety issues with individuals living or working on a site, conflicts with uses in the immediate site vicinity, on and/or off-site operational conditions, and other generally accepted planning principles. Staff seeks to resolve issues with applicants but when this situation arises, staff has been directed to bring the matter to the appropriate decision-making body as soon as possible for a hearing with a recommendation to not approve the use. Unfortunately, the applicant did not take advantage of a pre-application meeting with county staff prior to purchasing the property and submitting the Conditional Use Permit application. By bringing the matter to the decision-makers earlier in the process than would normally occur, the applicant can get an early decision from the hearing body to either proceed with further review and preparation of an environmental assessment, or the project is denied. This short-cut in the process can result in substantial time and savings for the applicant if it appears that the request may ultimately be denied, thus avoiding costly reports or scientific studies by specialists that may be necessary to prepare an environmental review or to revise plans significantly to address impacts. In this case, staff is not in support of the proposed use at this location for the concerns listed below, and is bringing the project to your Commission with a recommendation for denial without an environmental determination.

PROJECT DISCUSSION

The request is for a Residential Care Facility for 28 elderly people on an Agriculture-zoned parcel located adjacent to State Highway 101 approximately 2 miles north of Paso Robles and 2 miles south of San Miguel. The application was received by the Planning Department on July 6, 2004. Upon initial analysis of the proposal and review of applicable General Plan Goals for the Highway 101 corridor, goals and objectives of the Agriculture Land Use Category, the Ag and Open Space Element, the Noise Element and potential noise impacts to patient/residents, and the constraints and issues relative to the site selection, staff felt the proposed use raised significant concerns and thereafter concluded that it may be inappropriate for the site.

Specific concerns for this proposal, that your Commission may also want to consider, are:

Issue 1. The appropriateness of a relatively large commercial/residential facility in a rural area along Highway 101 between two urban areas. Will this facility further degrade the separation of urban areas and contribute to the appearance of commercial sprawl along Highway 101?

Issue 2. Should a non-agriculture related commercial/residential use be located on an Ag-zoned parcel of land that contains a producing vineyard and necessitate removal of 1.5 acres of vineyard to accommodate the proposed facility?

4-3 3-67

Issue 3. Will possibly serious traffic safety issues arise relative to family, friends, business services, staff, and patient-related caregivers driving to the site via Highway 101 and the uncontrolled at-grade intersection at Monterey Road?

Issue 4. Potential ag operational conflicts with the remaining 7.5 acres of productive vineyard surrounding the proposed use as well as other ag activities in the immediate area.

Issue 5. Noise related impacts from vehicle and large truck traffic on Highway 101, from trains along Union Pacific Railroad, and ag related noises. As growth-related traffic volumes increase each year, will additional noise impacts diminish or restrict out-door use area activity?

Issue 6. Concern for timely transporting of patients needing emergency care. Twin Cities Hospital in Templeton is the major emergency medical facility in the area and is located 10 miles from the site.

Issue 7. Should elderly care facilities be located within urban areas closer to services typically needed by this age segment of the community.

Lastly, as requested by the applicant, staff has processed this request a "Residential Care Facility" based on representations that her clients would be ambulatory and no medical care would be provided. However, based on recently received information, staff feels the use more appropriately fits the definition of *Nursing and Personal Care* due to the level of care provided and the health condition of residents. It is our understanding that residents will not be able to drive their cars and medical and personal care providers will come to the facility on a regular basis. While there is similarity between Residential Care and Nursing and Personal Care facilities, the distinction is the level of care provided. Residential Care Facilities are for ambulatory persons where no medical care is provided. Because the applicant indicates that residents will not be able to drive their cars, and personal and medical services will be provided at the site by visiting providers, this more closely conforms to the definition of Nursing and Personal Care, which includes "*extended care facilities, rest homes, and board and care homes.*" An understanding of this is important because Section 22.30.320 of the Land Use Ordinance allows Nursing and Personal Care facilities *only* within Urban or Village areas in the Residential Suburban, Residential Multifamily and Commercial Retail categories. Such facilities would therefore not be allowed in the Agriculture zoning category in any case.

PROJECT ANALYSIS

Land Use Element - Salinas River Area Plan:

The Land Use Chapter (4) of the Salinas River Area Plan discusses intensity of different uses, existing conditions, and goals related to future development of this area. One portion of this chapter specifically discusses "Community Separation/Rural Character" between the different communities along the Highway 101 corridor. The plan states "*The open areas between each town provide rural visual character where densities in the Agriculture, Rural Lands and Residential Rural category are acceptable.*" These areas "*should be retained through controls on the amount and location of development. This distinct change in the amount of development at the edge of a town in relation to other towns and countryside establishes a border to the community.*"

This project does not meet the intent of the Community Separation/Rural Character policies of the Salinas River Area Plan. Communities throughout the county are concerned about maintaining as distinct an urban boundary as possible. This can be accomplished by carefully regulating the type and appearance of non-rural uses along major highway corridors connecting communities. Unfortunately, distinct urban boundaries may be incrementally lost by development of commercial, or commercial appearing, uses along the Highway 101 corridor.

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By allowing this project as proposed, your Commission should consider whether such an action could set an undesirable precedent in the Agriculture Land Use Category along the Highway 101 rural corridor. This would be inconsistent with the general plan policy mentioned above. Staff recommends that in order to maintain the rural character of this area and a distinct urban boundary between Paso Robles and San Miguel, this project should not be approved on this site.

Agriculture and Open Space Element of the General Plan:

The proposed use will remove a portion of an existing vineyard in the Agricultural Land Use Category. The Agriculture and Open Space Element of the County's General Plan has specific goals and policies that were adopted by the Board of Supervisors for supporting, conserving, and protecting the county's agricultural lands and resources.

Agricultural Goals:

Ag Goal AG3 (Protect Agricultural Lands) is a goal that states "Maintain and protect agricultural lands from inappropriate conversion to non-agricultural uses. Establish criteria in this element and corresponding changes in the Land Use Element and Land Use Ordinance for when it is appropriate to convert land from agricultural to non-agricultural designations." These types of goals are adopted in the General Plan to shape the way the County is developed, and the policies of the General Plan are to tell us in more detail how these goals shall be carried out. This project as proposed does not meet this goal that is set forth in the Ag and Open Space Element because it will be removing an existing vineyard for non-agricultural purposes, and lead to the possible expansion of non-agricultural uses within the vicinity of this project site.

Ag Policies:

Ag Policy AGP4 (Agricultural Use of Small Parcels) states "The purpose of this policy is to encourage agricultural uses and discourage rural residences as the principal use on existing small agriculturally-zoned parcels..." A residential care facility with 28 patient/residents is a relatively intensive use in an area zoned for Agriculture and conflicts with AGP4. Removal of approximately 17 percent of the vineyard (1.5 acres) will further reduce the viability for the primary use of the site for agriculture.

Ag Policy AGP24 (Conversion of Agricultural Land) is intended to "Discourage the conversion of agricultural lands to non-agricultural uses through the following actions: 1. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations. 2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations. 3. Avoid land re-designation (rezoning) that would create new rural residential development outside the urban and village reserve lines. 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines." AGP24 is an Ag policy set forth to keep the remaining agricultural properties in our County as Agriculture, and to keep residential or other non-agricultural uses within the urban boundaries of our local communities.

The proposed project does not meet this policy because it will expand development of a residential/commercial use to an area designated as Agriculture, and it is not within the boundaries of an urban area or community. By approving this project, the County would weaken ag protection by endorsing a non-agricultural use in an area historically zoned and used as Agriculture, which is contrary to the intent and policies of the Agriculture and Open Space Element of the General Plan. Also, concern for health and quality of life factors for residents may put future viability of the vineyard in question due to the need to prevent infestation through chemical treatment and to scare away birds with noise-based devices.

753-69

Should your commission wish to support the use, staff suggests that you consider permanent ag protection measures for the remaining producing vineyard, and discuss the matter of ag buffers. Regarding protection of the remaining site, you may wish to require an agricultural easement over the remainder of the site to assure on-going operations are possible for the portion of the site not developed with the facility.

Noise Element:

Aspects of the proposed use conflict with acceptable noise level standards established by the Noise Element of the General Plan for outdoor activity areas due to the proximity and location of the buildings and outdoor spaces to Highway 101 and the Union Pacific Railroad. Possible mitigations could be accomplished by means of tall sound barrier walls located between outside use areas and the Highway and railroad but these may add to the already commercial appearance of the facility along this rural corridor. Indoor noise levels may be attenuated to acceptable levels through appropriate use of architectural and construction remedies.

Housing Element:

The Housing Element provides for Goals and Policies that encourage all housing types, including a need for housing the elderly. While the Housing Element shows a need for elderly housing, it also states where these types of housing should be located. The Housing Element states as policy no.2 "The County will designate land for new housing near locations of employment, shopping, schools, parks and transportation systems." While the proposed project is not designating new land, it is proposing a type of housing for an area historically used for agriculture outside of an urban area. Staff has determined that facilities are needed for ambulatory elderly people, however, it should be located near other services which residents can more easily use and benefit from.

The State of California definition for an ambulatory person is "a person capable of demonstrating the mental competence and physical ability to leave a building without assistance of any other person or without the use of any mechanical aid in case of an emergency" (CA State Title 22, Division 6 Chapter 8 Residential Care Facilities for the Elderly). This type of person would benefit more from living near services such as shopping, pharmacies, medical offices, personal services etc. Therefore, staff feels that the Housing Element's policy on locating residential care facilities near services should apply to the proposed project. By allowing the proposed project in a rural area where residents

I
space

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are dependent on transportation provided for them to access services, the County would not be consistent with the policies of the Housing Element.

Ordinance Compliance:

Residential Care Facilities with seven or more residents are allowed within the Agriculture Land Use Category subject to a Conditional Use Permit and special standards for residential care facilities. These types of care facilities for ambulatory residents (non medical facilities) are subject to all the applicable standards for multiple-family dwellings because the use is similar to that of a multi family dwelling. The table on the following page identifies the required standards for this residential care project..

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area- Section 22.30.420	20,000 square feet	1.5 acre developed area of a 9 acre site
Density	15 units/acre	* 13.33 units per acre for the proposed building envelope * 2.22 units per acre for the entire 9 acre site
Intensity	low	low
Setbacks – Section 22.10.140	Front: 25' Side 25' Rear 30'	Front approx 200' Side approx 30' Rear approx 80'
Height - Section 22.10.090	35'	One story (approx 15')
Parking -Section 22.30.320.c	One space per four beds: 7 spaces required	12 spaces plus 4 handicapped spaces
Signs - Section 22.20.040 B (16)	Two aggregate feet of sign area - facing Monterey Road (sign shall not face Highway 101)	None proposed

Landscaping: The proposed project includes a landscaping plan, which shows various types of ornamental vegetation for screening of the structure. Types of vegetation include magnolias, New Zealand Flax, Coast Live Oak, and jasmine.

Fencing and Screening: Sound walls and wood fencing are proposed with the project design in between the structure and Highway 101, and around each structure so that there are separate enclosed yards around each building. This use is not required to incorporate fencing and screening, however some type of tall sound barrier wall will be required to separate the structure from Highway 101 to reduce noise impacts.

COMMUNITY ADVISORY GROUP COMMENTS: There is no community advisory group for this area.

AGENCY REVIEW:

Public Works- New driveway requires encroachment permit.

7-73-71

Environmental Health –Location of well and septic? Domestic water storage tanks? Size, number and location?

Ag Commissioner- See memo in file dated October 1, 2004. In general, Agricultural sites of less than 20 acres of are not considered to have significant ag production value. Require easement for vineyard, relocate structure, and provide right to farm disclosure.

County Parks – None received as of 10/29/2004

CDF - None received as of 10/29/2004

Cal Trans - None received as of 10/29/2004.

LEGAL LOT STATUS:

The lot was legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Chuck Stevenson.

783-72

FINDINGS - EXHIBIT A
DRC2004-00003

Environmental Determination

- A. A Statutory Exemption pursuant to California Environmental Quality Act section 15270 was issued on November 9, 2004 (ED04-205).

Conditional Use Permit

- B. The proposed project or use is inconsistent with the San Luis Obispo County General Plan because:
1. Agriculture and Open Space Element: The Agriculture and Open Space Element encourages agricultural uses and discourage rural residences and other non-agricultural uses as the principal uses on existing small agriculturally-zoned parcels. The proposed use will remove a portion of an existing vineyard in the Agricultural Land Use Category
 2. Noise Element: Aspects of the proposed use conflict with acceptable noise level standards established by the Noise Element of the General Plan for outdoor activity areas due to the proximity and location of the buildings and outdoor spaces to Highway 101 and Union Pacific Railroad.
 3. Housing Element: The Housing Element states as policy no.2 "The County will designate land for new housing near locations of employment, shopping, schools, parks and transportation systems." While the proposed project is not designating new land, it is proposing a type of housing for an area historically used for agriculture outside of an urban area. Staff has determined that the proposed use should be located near other services for which the residents can use and benefit from.
 4. Land Use Element: This project does not meet the intent of the Community Separation/Rural Character policies of the Salinas River Area Plan (which is a portion of the Land Use Element). This plan states, "The open areas between each town provide rural visual character where densities in the Agriculture, Rural Lands and Residential Rural category are acceptable." These areas "should be retained through controls on the amount and location of development. This distinct change in the amount of development at the edge of a town in relation to other towns and countryside establishes a border to the community." The proposed project does not meet this portion of the Land Use Element of the Salinas River Area Plan because it will continue development on the highway in-between the two distinct communities of San Miguel and Paso Robles.
- C. The establishment and subsequent operation or conduct of the use will, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the establishment of this use will result in more traffic to be traveling across an uncontrolled intersection of Highway 101 and Monterey Road.
- D. The proposed project or use will be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because:

~~7-9~~ 3-73

1. The proposed project introduces a more commercial-scale facility into an area predominantly surrounded by rural residences, small agriculturally related commercial uses, and agricultural uses. There are currently few homes and small older commercial uses in-between the urban areas of San Miguel and Paso Robles, and introducing a new facility such as the proposed project would set precedence for allowing similar commercial uses between two urban boundaries.
 2. The proposed project is inconsistent with the character of the immediate neighborhood because of its intensive use. The neighborhood directly surrounding the proposed project consists of a single-family residence and orchard to the north, Highway 101 to the west, Monterey Road and a horse farm, and Union Pacific Railroad to the east, and a single-family residence directly to the south. The proposed 11,734 square foot structure (in the form of two 5,867 square foot buildings) would house approximately 28 residents with a full staff for caring for resident needs, cooking for the residents, and maintaining the site and facilities. There would also be a 16-space parking lot and motor court, and walls in between the structures and the highway. This intensive non-agricultural use is inappropriate for this site and surrounding neighborhood.
- E. The proposed project or use will generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because:
1. The establishment of this use will result in more traffic to be traveling across an uncontrolled intersection of Highway 101 and Monterey Road. This intersection would be used when traveling north from Paso Robles to the proposed care facility. The type of vehicular travel to and from the facility would include staff, visitors and care providers, all of which would be subject to potentially dangerous deceleration and turning movements at the intersection of Highway 101 and Monterey Road.

7-10 3-74



**Project —
Conditional Use Permit
Tucker/ RRC2004-00003**

7-11 3-75

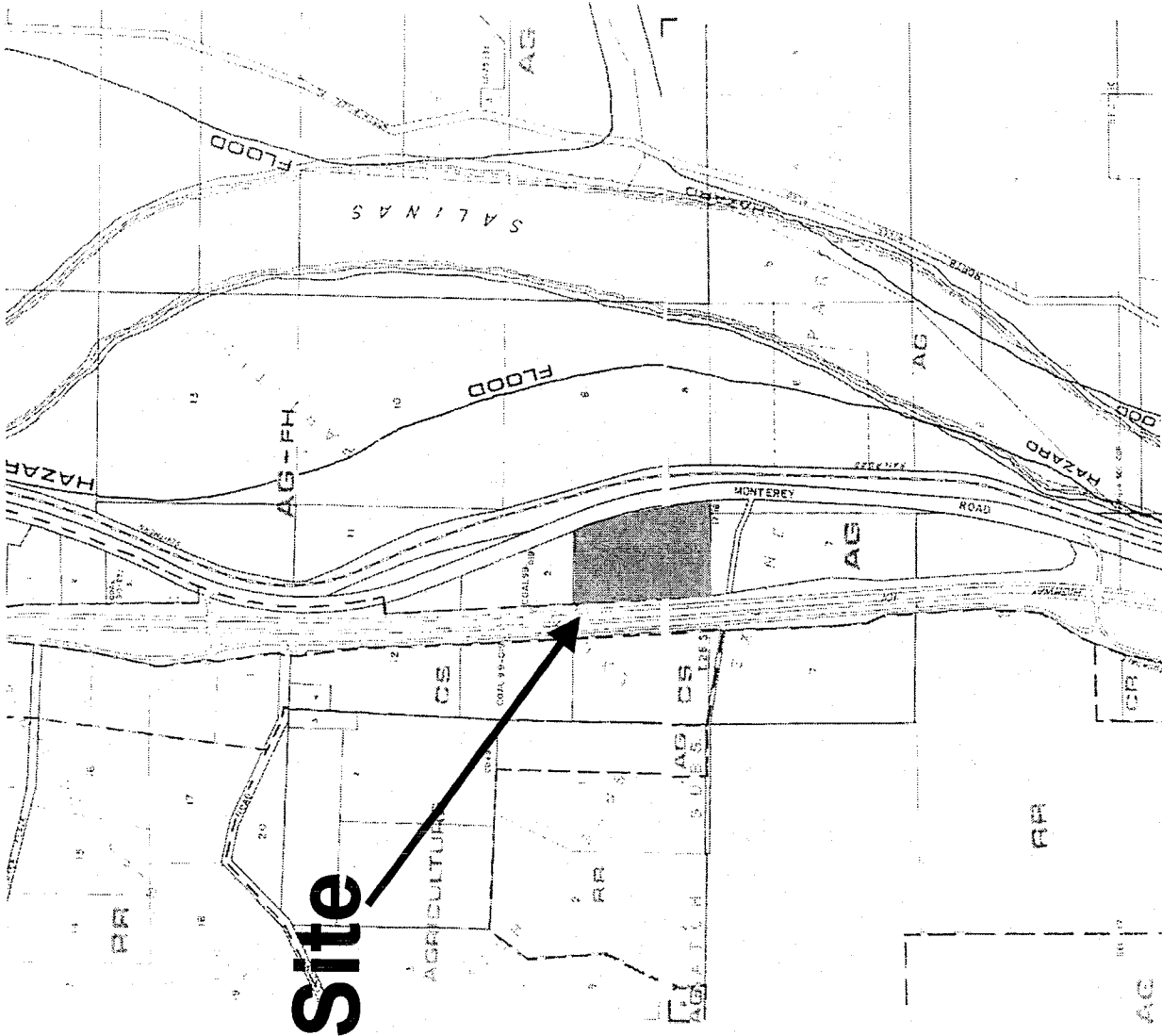
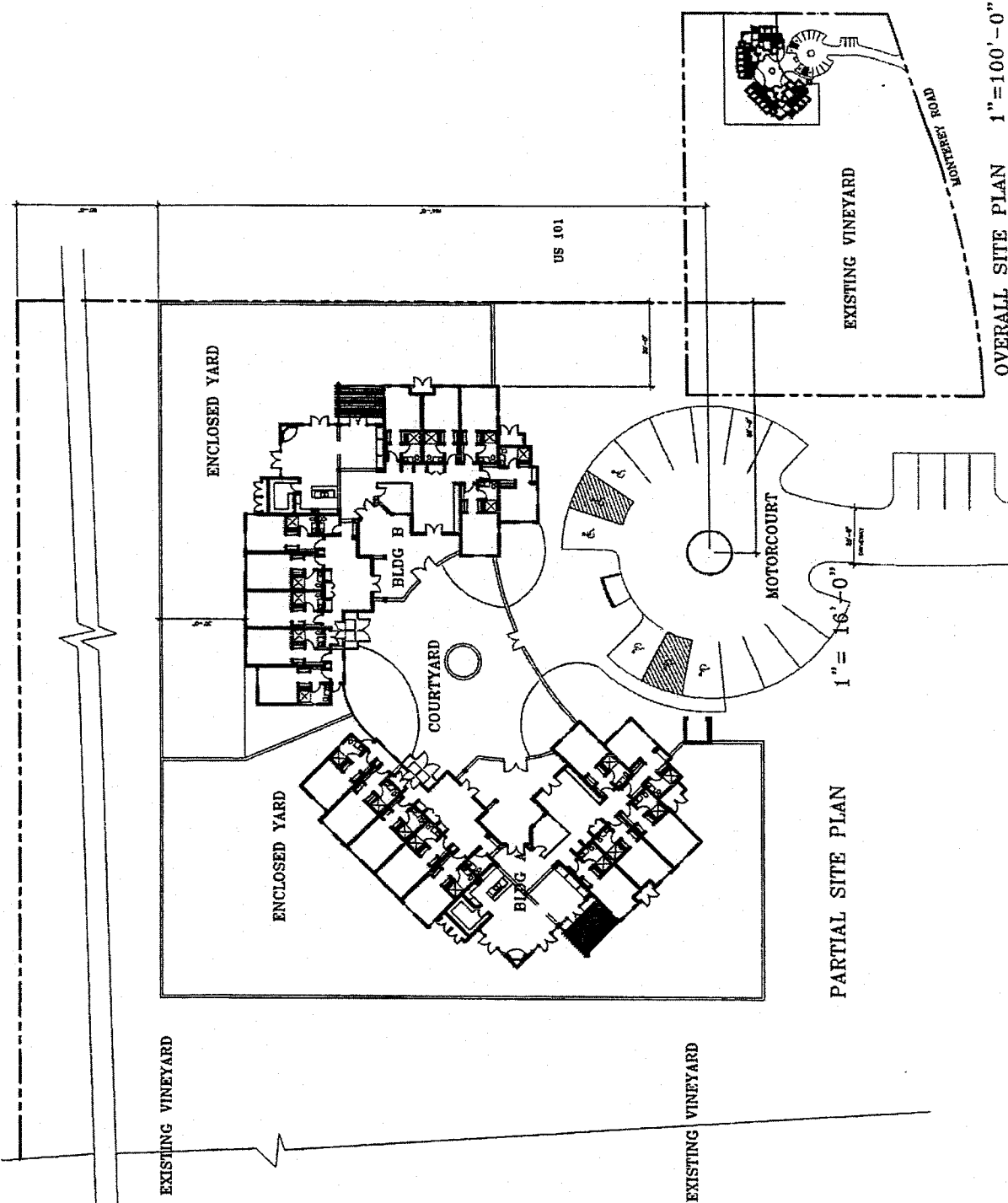


Exhibit
Land Use Category Map - Agriculture

Project
Conditional Use Permit
Tucker/ DRC2004-00003

7-12 3-76

ERNIE KIM ARCHITECT 1890 SANTA BARBARA SUITE 201B SAN LUIS OBISPO, CA 93401 805.540.0575 TEL 805.542.7520 FAX		Ada's Vineyard Lodge A Senior Residential Facility Monterey Road Paso Robles, CA APN: 028-141-008		MODEL 3/16/88 TUCKER 3/16/88 CONTENTS	DATE 3/16/88 REVISIONS NO. DATE TYPE 1 3/16/88 1	SHEET C-1
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Exhibit

Site Plan



Project
 Conditional Use Permit
 Tucker/ 11C2004-00003

7-13 3-77

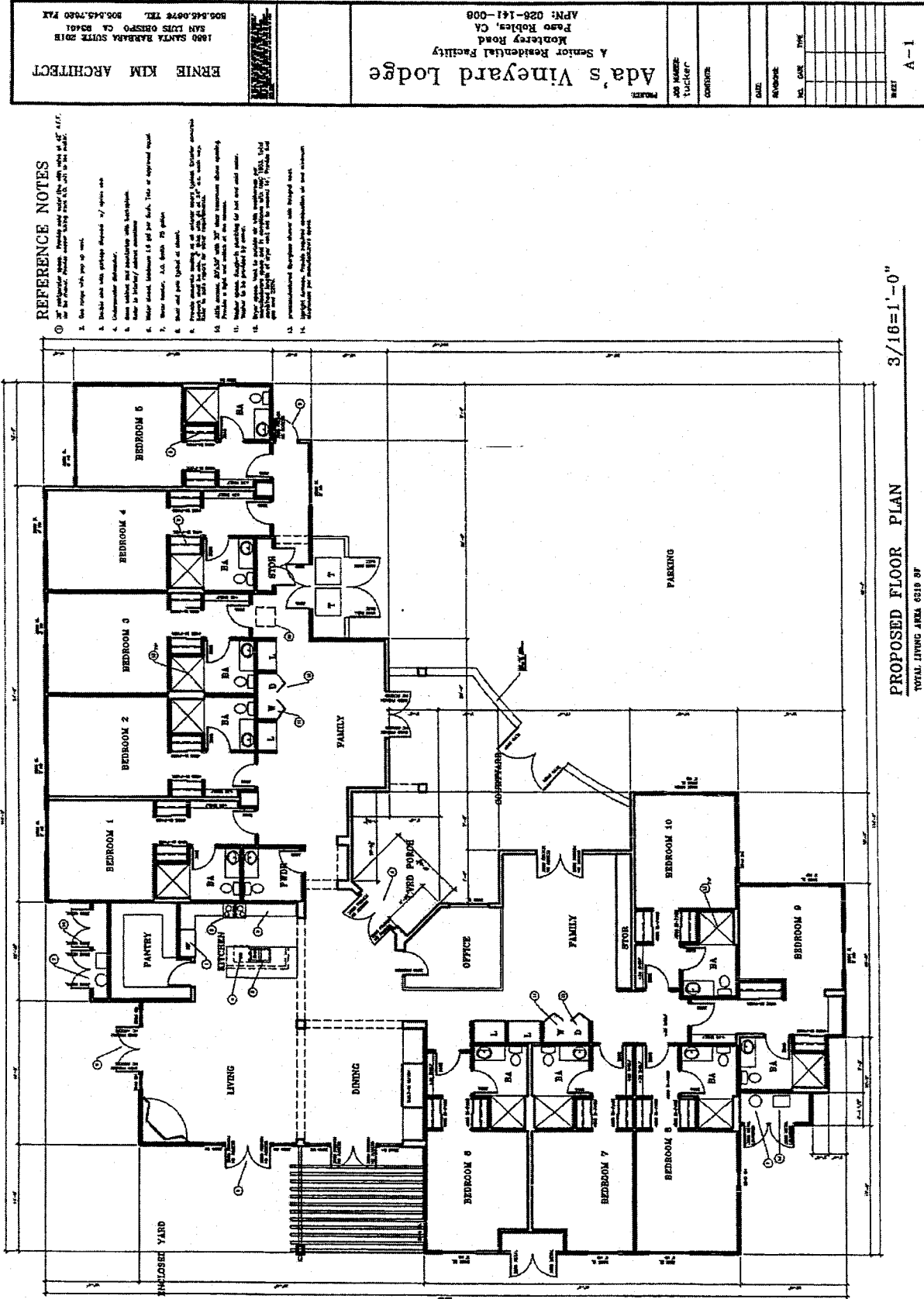
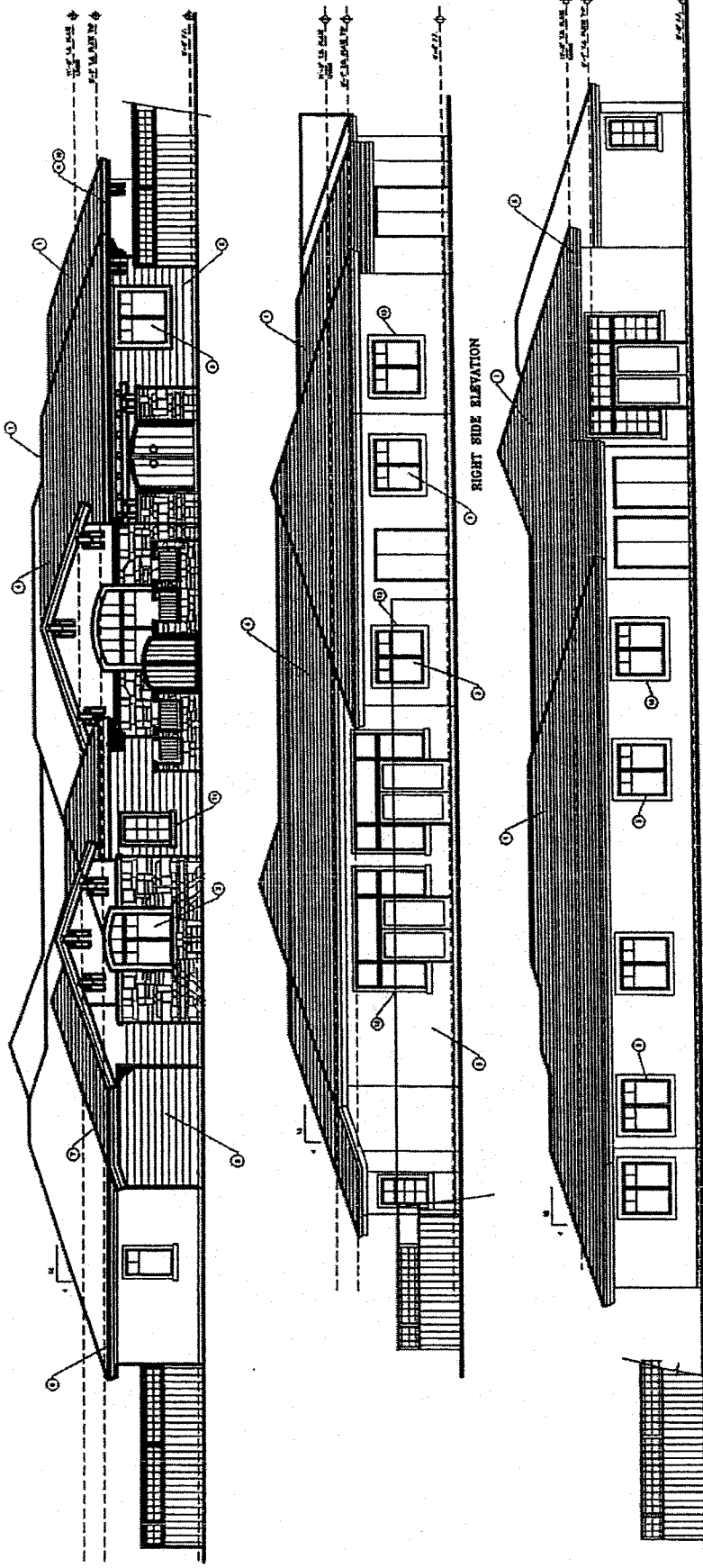


Exhibit
Floor Plan

Project
Conditional Use Permit
Tucker/ DRC2004-00003

7-14 3-78



REFERENCE NOTES

Flat concrete roof over minimum 45g underlayment. Roofing and installation to comply with USC. Install in accordance with manufacturers specifications.

MAKE LEAFLE COLOR TO BE SELECTED STYLE TO BE SELECTED

Cementitious lap siding over building paper.

MAKE HARDWOOD STYLE CHANGEL.

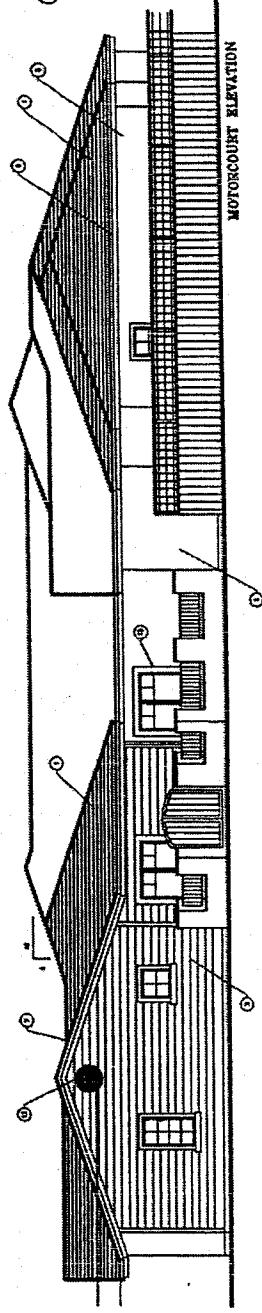
Vinyl windows. Provide steel-braut flashing at all sides.

MAKE MOUNTAIN STYLE CLANGC

Attic vents: Provide attic ventilation minimum 1 sq. ft. of area for each 150 sq. ft. of ventilated area. Vents shall be installed in accordance with manufacturer's specifications. Provide metal mesh with mesh openings of 1/4". USC. Refer to Attic Ventilation Calculations and Roof Plan.

Exterior cement plaster

MAKE LAUREA COLOR TO BE SELECTED



EXTERIOR ELEVATIONS



Exhibit
Elevations

Project
Conditional Use Permit
Tucker/ PRC2004-00003

7-15 3-29

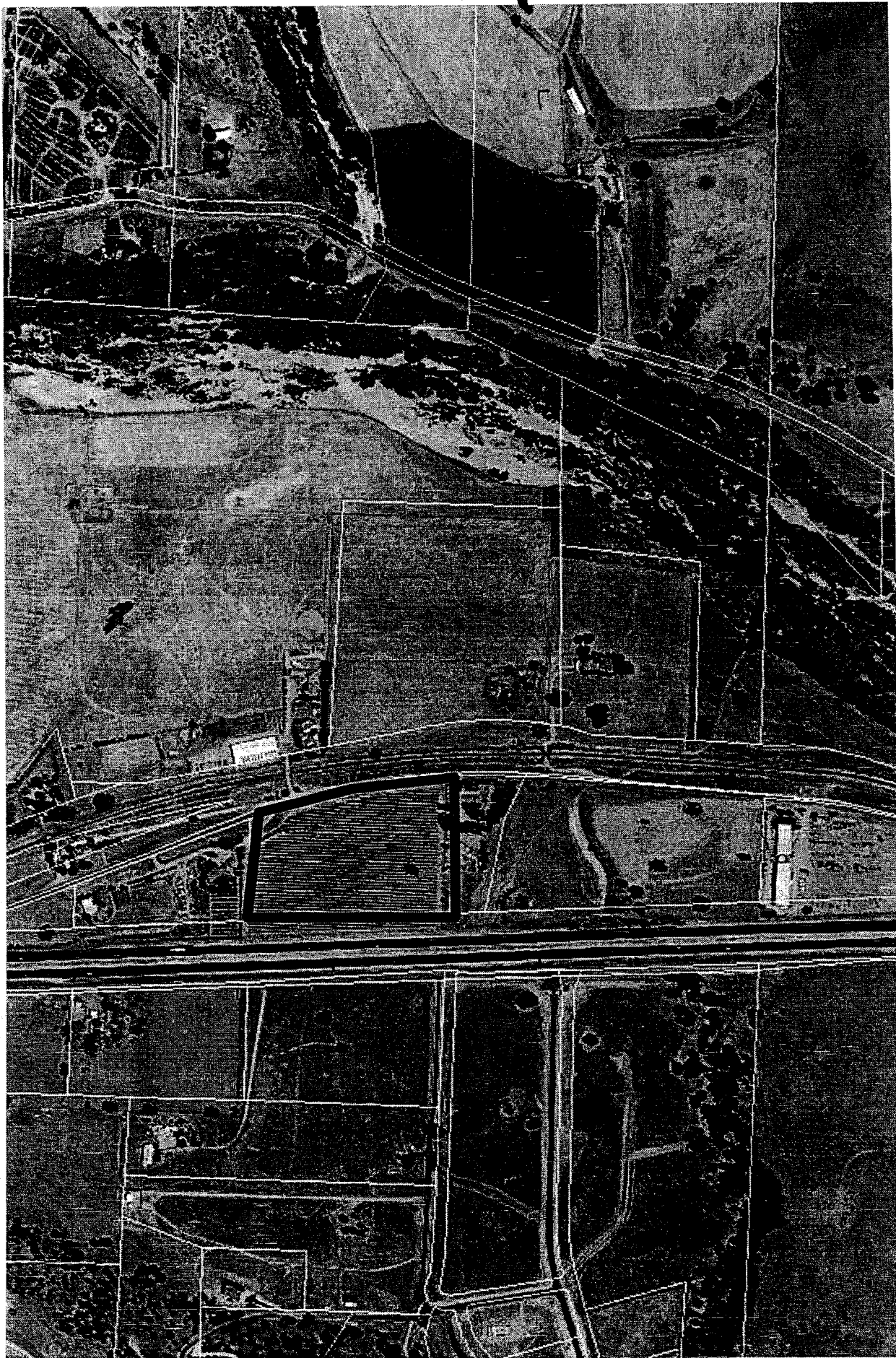


Exhibit
Aerial View



Project
Conditional Use Permit
Tucker/ DRC2004-00003

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-16 3-80

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter at your request to describe the level of care provided for residents of RCFE, or Residential Care Facilities for the Elderly. This level of care is determined by title 22. The licensing body for RCFE is the State of California Health and Human Services Agency, Department of Social Services.

Residents at this level of care are typically unable to perform their own activities of daily living, such as dressing, bathing, and hygiene. They are no longer able to live on their own, not able to do their own housekeeping, cooking, shopping etc. They sometimes need supervision for safety, assistance with walking or propelling a wheelchair. They might need help getting in and out of bed. They may need incontinence care. They do not drive, do their own shopping, or go to appointments unattended. It is unlikely they will even go outside the facility unattended.

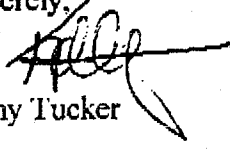
This type of facility normally provides 24-hour supervision and assistance with the above items. It does not provide skilled nursing care. Home health nurses or therapists may visit residents in these facilities on an occasional basis for lab work, or therapy as needed.

The north county has a physician who visits residents in this type of facility, and he has a nurse practitioner that assists him. If the family or resident prefers, the facility staff provide transportation to doctor visits, or sometimes family members provide the transportation. The facility I am proposing will have space for beauty operators, or staff can provide transportation to this type of appointment as well. We will provide indoor and outdoor supervised activities for our resident's daily.

It is important that you realize Monterey Road is serviced by public transportation and a cab service for any family members who are unable to drive.

As I have stressed before, this location provides a beautiful, pastoral setting, only 2.4 miles from the center of Paso Robles, with paved road access. There will be adequate parking, and with landscaping and the vineyard, the project will be barely visible from the road. There is a great need for this type of facility in our community and I sincerely hope the planning department will support it as much as the community does.

Sincerely,


Kathy Tucker

7-17-3-81

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.


At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that would fill a need, and would join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

740 Bethel Rd, Templeton, Ca.
Address 93465

RECEIVED

NOV 15 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-18 3-82

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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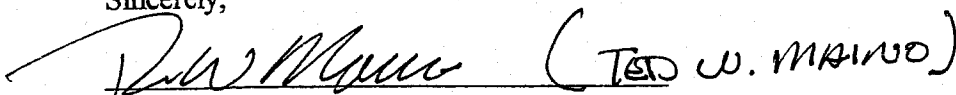
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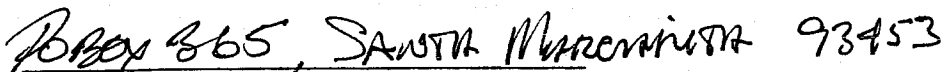
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name


Address

RECEIVED

NOV 15 2004

Planning & Bldg

7-19 3-83

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Lynn May - LYNN MAY
Name

1635 KNOLL DR. SAN LUIS OBISPO, CA 93401
Address

RECEIVED

NOV 15 2004

Planning & Bldg

~~7-20~~ 3-84

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Jeri Holloway
Name: JERI HOLLOWAY

835 Wildcats Way
Address

*Kathy would
be perfect for this*

RECEIVED

NOV 15 2004

Planning & Bldg

~~7-21~~ 3-85

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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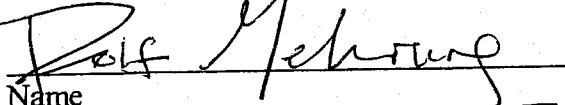
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

1685 S. Linton Pl. Templeton
Address

93465

RECEIVED

NOV 15 2004

Planning & Bldg

7-22 3-86

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Name CINDI

GEHRUNG

Address

11685 Shiloh Place Templeton
93465

RECEIVED

NOV 15 2004

Planning & Bldg

7-23 3-87

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

CHARLES K HOLLOWAY
Name

835 WILD OATS WAY TEMPLETON
Address

RECEIVED

NOV 15 2004

Planning & Bldg

7-24 3-88

Ryan Hostetter
Department of Planning and Building
County Government Center
San Louis Obispo, CA. 93401

Nov.9, 2004

Re. Tucker Conditional Use Permit DRC2004-00003

Dear Mr. Hostetter,

I am writing you to ask that you approve the residential care facility for the elderly that the Tuckers are proposing to build on Monterey Rd. in Paso Robles.

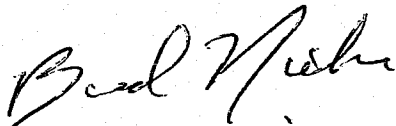
I am 79 years old and have had experience with such facilities. As you grow older and find that you no longer can properly care for yourself and need assistance, one of the options is to move into a care facility. This can be degrading and dehumanizing when you realize someone else has to provide you with basic needs that you always did for yourself. In most cases it means moving into a strange environment that you are unfamiliar with. But most of all it means that you are relegated to some obscure facility that is for all intents and purposes, hidden from the main stream of life as you know it.

What is important is that the facility be located in such a manner that patients can still watch and observe the continuation of life and in a sense participate as an observer to those events. The vineyard environment as proposed by the Tucker's provides this opportunity. Periodically workers will be working in the vineyard with spring bringing new growth to the vines and the fall providing the harvest of the grapes from the summer's labor. This will be a welcome experience that will be both educational and entertaining for those confined behind four walls of a facility.

The last thing any patient wants is to be near a hospital or cemetery. These are negative locations that they are hoping to avoid until the last minute in their now shortened lives. The only one that benefits by being close to those facilities are the doctors and the morticians.

Please in your deliberation, think of the elderly that will be the beneficiary of your decision.

Sincerely,



Erwin C. Bud Nielsen
71921 Indian Valley Rd.
San Miguel, CA

7-25 3-89

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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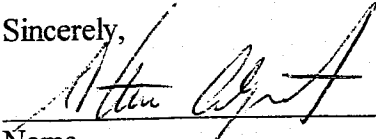
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

 STEVEN ALPERT
Name

1745 BRIARWOOD PL
Address
TEMPLETON, CA 93465

RECEIVED

NOV 15 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-26-90

RECEIVED
NOV 15 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that would fill a need, and would join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Merle and Diana Miller
Name

1180 Beaver Creek
Address

Paso Robles, CA 93446

Nov. 12, 2004

We wish this facility had been here for our parents!

(Maybe for us!)
We know Gary and

Cathy would be excellent administrators of such a project. Thank you for your consideration!

7-27 3-91

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the residents of this facility will have direct and speedy response by any emergency services they might require.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Lori Alpert

Name)

1745 Briarwood Place

Address

Templeton, CA 93444 93465

RECEIVED

NOV 15 2004

Planning & Bldg

7-28 3-92

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Faith Dahn

Name

1117 Putter av.

Address

Paso Robles, Ca.
93446

RECEIVED

NOV 15 2004

Planning & Bldg

7-29 3-93

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Nicole Hahn
Name

1117 Putterline P.R.
Address

RECEIVED

NOV 15 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-30 3-94
Nov. 11, 2004

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan, *Ryn*

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Lorraine & Pete Cagliari
Name
76362 Vineyard Cyn
San Miguel, Ca.
Address
93451

RECEIVED

NOV 15 2004

Planning & Bldg

This would be a wonderful project. There are many people I know that would be perfect for a home of this quality of care. We will all get old some day. This is a refreshing approach! Classen Project!

731 3-95

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Lee + Penny Coombs
Name

9544 Durango Rd. Atascadero
Address

RECEIVED
NOV 15 2004
Planning & Bldg

7-323-96

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

November 7, 2004

Dear Ms. Hostetter,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Road.

I am surprised that your office is questioning such a venture, when in fact, our elderly deserve to live in a home-like environment, as long as they can.

I think anyone would prefer to live their elder years in a setting such as the one the Tuckers have visualized compared to traditional elder care institutions. With very easy access to city of Paso Robles, and any needed emergency services they might require, the location seems ideal.


The facility would consist of two homes of ten bedrooms each, in perfect harmony with local structures. More importantly, they will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address.

I believe this is the type of care facility we need in nationwide, and your county could be the showplace for the prototype. I would choose this type of facility for my parents, when the time comes, if one is available (they are both native Californians.)

Please recognize that this project fills an important need in your county. Please approve this project without delay.

Sincerely,


Lynn Strahm
9715 78th St. SW
Lakewood, WA 98498

(253) 582-8154

RECEIVED

NOV 15 2004

Planning & Bldg

2-33 3-97

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

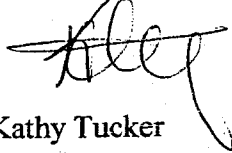
Dear Ryan,

Attached please find a copy of a letter written by Mr. Tullock, who is the neighbor nearest the project.

He is a retired Cal Poly Professor, he is very knowledgeable about agriculture, and he is very supportive of our use.

I hope you will read his letter and take his points into consideration.

Thank-you,



Kathy Tucker

RECEIVED

NOV 15 2004

Planning & Bldg

7-34 3-98

Gary and Cathy Tucker

14 Oct 2004

I understand there is some discrepancy relative to the value and best use of your land located north of Paso Robles between the 101 Expressway and Monterey road.

I am a retired Professor of Soil Science with over 30 years of post PhD experience. I hold a BS degree from Cal Poly, SLO, and MS and PhD degrees from Purdue University. All three degrees are specifically in the area of Soil Science. My work experience has been in instruction, management, and development in agriculture. My professional employment has been at Purdue University, Oregon State University and Cal Poly, Pomona. I have been on short term assignment in the Republic of Liberia assisting the Government in the development of a Polytechnic University designed to serve West Africa. Unfortunately the Civil War in Liberia has stalled all educational development. I also served as Chief of Party for Cal Poly with a 14.7 million dollar Horticultural improvement in the Yemen Arab Republic from December 1984 through June 1987.

The land in question is along the terrace of the Salinas river and is part of the Arbuckle-Positas-San Ysidro association according the Soil Survey for San Luis Obispo County, California (Paso Robles Area) published by the United States Department of Agriculture and the Soil Conservation Service , issued May 1983. The soils between Monterey and Wellsona Roads are mapped as Hanford, Arbuckle, or Pits. The area mapped as Pits was mined by the City of Paso Robles and used as road base in many city construction projects about 30 to 40 years ago. The land classified as Pits is zoned for Agriculture as is the other land along this strip between the current and abandoned State Highway 101.

Your property is mapped as Hanford Series (mapping unit 149 and 150). This Hanford Series is listed as Good for Roadfill and only slight restrictions for building sites without basements. The agricultural production potential is listed for winegrapes, barley, hay, or almonds and is considerably below the potential of other series in the survey area such as Arbuckle, Botella, Lockwood, Mocho, Pico, San Emigdo, Sorrento, and Still. I have been told the area was grazed by turkeys and cattle prior to 1940, was then bare except for an occasional barley crop for over 40 years. Wine grapes were planted in the late 1980's and

7-35 3-99

soon abandoned. The property was replanted in the present variety of winegrapes in about 1995. Now the current variety of grapes are overproduced, not currently economically viable, and unless some modified land use is allowed will most likely need to be removed in the near future. I would like to see an addition like a care facility that would allow the parcel to be productive and most of the grapes remain.

The narrow strip of land between the Monterey exit and Wellsona road presently has three homes and at least 7 commercial enterprises. Given the range of enterprises along this strip I welcome the establishment of a care facility. When I consider other options with the associated noise and chemical use I am very pleased to welcome you and your care facility as a neighbor and hope you will be able to develop this enterprise in the near future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert Tullock", with a large, sweeping flourish extending from the end of the name back towards the left margin.

Robert Tullock
5335 Monterey Road
Paso Robles, CA

7-36 3100

Department of Planning and Building
County Government Center
San Louis Obispo, CA 93401

Subject: Proposed elder care facility on Monterey Rd. in Paso Robles

November 8, 2004

Dear Mr. Hostetter,

We are writing this letter to ask you to please approve the request of Kathy and Gary Tucker for their planned elder care facility.

We have known Kathy and Gary Tucker for many years and feel certain that with Gary's building skills and Kathy's experience in elder care that this will be a facility that will be both a caring and innovative way for Seniors in California to live. It will be a showplace in the elder care industry and one that the county will be proud of.

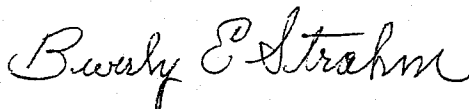
The location that they have chosen will have views of both mountains and vineyards. Residents who are less mobile in their elder years will enjoy watching the grapes grow and the sun light on the mountains. It will be far superior to those multi level buildings with views of nothing but parking lots and roadways that many residential care facilities have. Even though the location is a peaceful site in the county, local emergency services can reach the location in minutes.

Most other facilities have only single bedrooms with a community sitting area and dining room. Kathy and Gary's plans include sitting areas and small kitchens for each individual resident. One of the things that our Mother's wanted while they were still alive was a place where they could make a cup of coffee or hot chocolate and a refrigerator for their ice cream that they could use day or night. We are both Senior Citizens and know that this is the kind of place we would like to live in when we can no longer maintain our own home.

Sincerely,



R. C. Strahm



Beverly E Strahm

RECEIVED

NOV 10 2004

Planning & Bldg

7-37 3-101

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that would fill a need, and would join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Kathleen DeWeese
Name

1305 Oak Ridge Way
Address Paso Robles, Ca. 93446

RECEIVED

NOV 09 2004

Planning & Bldg

7-38

3-102
Nov. 9 2004

Mr Hostetter:

Subject: Tucker Conditional Use Permit
DRC 2004-00003

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

This project will fill an important need in our county. I am 78 and someday I might need a place like this - I was born in Shandon, I like country - not city life.

Please approve.

Edith E. Lewis
7115 Santa Barbara Rd.
Atascadero, Ca. 92322

RECEIVED
NOV 10 2004
Planning & Bldg

Ryan Hostetter

Dept of Planning and Building

County Government Center

San Luis Obispo, CA 93401

3-103

7-39

Dear Ryan,

Please support the residential care center planned on Monterey Road by Kathy and Gary Tucker.

As a resident of Monterey Road I am aware of what an ideal location this would be. It is a very peaceful setting..We have very little traffic. We watch our neighbors walk their dogs, ride their horses down this stretch of road daily. One of our favorite activities is to just porch sit and watch the wildlife such as doves, quail, rabbits and all sorts of birds on our lawn and driveway..And yet we can get on 101 and be in the Paso Robles area in five minutes for Doctor appointments, shopping or business of any kind.

I have no doubt that Kathy and Gary will add a quality to their residential care homes that hasn't been seen in this area..The plans are spectacular and so is the location. This has been Kathys goal for so many years and together they have found the perfect location..Please give her a chance to see this business built and bring content to so many families who are looking for this sort of care facility that they can be proud to have their families members stay in..

Thank you for reading my letter and hopefully you will check out my area before you make your decision..

Sincerely,

Barbara Tuson
Barbara Tuson

6625 Monterey Road

Paso Robles, CA 93446

RECEIVED

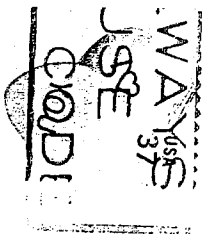
NOV 09 2004

Planning & Bldg

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11/8/04

10/1



Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-40 3-104

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Carla Brooks Rauch
Name

16476 Monterey Road
Address

Paso Robles Ca 93446

805-467-3793

RECEIVED

NOV 09 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

7-41 3-105

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Name

Address

Thyl L. Hammit
6644 Monterey Road
Paso Robles, Ca.
93446

RECEIVED
NOV 09 2004
Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

742 3-106

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Philip R. T. Tuck
Name

6625 MONTEREY RD.
Address PASO ROBLES, CA 93446
(805) 467-2667

RECEIVED
NOV 09 2004
Planning &

DOUGLAS BARTH & ASSOCIATES

Real Estate Appraisers

519 13th Street

Paso Robles, CA 93446

Tel (805) 239-0972 • Fax (805) 239-0914

November 5, 2004

Ryan Hostetter

Department of Planning & Building

County Government Center, Room 310

San Luis Obispo, CA 93408

RE: Conditional Use Permit DRC2004-00003
Gary & Kathy Tucker

Dear Mr. Hostetter,

I am writing this letter in support of the residential care facility that is currently being proposed for construction by Gary & Kathy Tucker on their property on Monterey Road in Paso Robles.

Having a mother who recently passed away from Alzheimers, and who also spent many years in residential care facilities, I am acutely aware of the need for a project of this magnitude within the north county area. As my mother began to lose her cognitive memory skills, she moved into an independent living facility (similar to Creston Village in Paso Robles). As the disease progressed, my wife and I moved her to an assisted living facility in Morro Bay. At the time there was no facility offering this type of care in the north county. Ultimately, she had to move into a skilled nursing facility.

I bring these factors up for a few reasons. First, my mother did not require immediate "medical" care, as her health was generally in condition. All she really needed was assisted living because she had a hard time remembering things. At the time this began (some 10 years ago), there was nothing available in the north county. While this has changed slightly over the years, there is still very little to offer. Secondly, the lack of care facilities with a more "home like" setting, required us to place her in a more "institutional" facility (Sea Shell Community in Morro Bay). We eventually had to file a complaint with the state for inadequate care at this facility. The state ultimately found the facility negligent, however, not before many elderly people died.

The project proposed by the Tuckers will create a home like environment for the elderly. This will give the residents the quality of life that they deserve in their remaining years. Being located a short distance from town and within close proximity to the freeway will make it easy for family to visit their loved ones. It is also located within a reasonable distance to the hospital and any emergency medical services the residents might require.

We need this type of care facility in the north county area. Please recognize this need and recommend approval of the project without any further delay.

Respectfully submitted,

Douglas G. Barth

Douglas G. Barth

RECEIVED

NOV 08 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

~~7-4#~~ 3-108

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

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The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Carla Willhant

Name

310 Ag Hill Dr.

Address

Templeton, CA 93465

RECEIVED

NOV 08 2004

Planning & Bldg

Gary and Kathy Tucker
PO Box 3029
Paso Robles, CA 93447
-467-3008

245 3-109

October 27, 2004

Dear Friends and Family,

I am writing to ask your help. For some time I have wanted to own a Residential Care Facility for the Elderly. I have planned a beautiful facility, which Gary and I would like to build on our vineyard property on Monterey Rd. in Paso Robles. The county Planning Department does not want this project to go forward because they feel that "elderly people belong in the city"...."across from hospitals in a large multilevel complex". They have refused to support the project and I am going to have to appeal it to the planning commission on November 30 in San Luis Obispo. The planning department is aware that several smaller Residential Care facilities already exist in rural SLO County, and they have stated that they would like to prevent these also if they could.

I believe seniors have the right to live in the country, and to stay in smaller more homelike environments when they need care. I feel the location of each senior care facility should be chosen by our seniors, their families and physicians, not dictated by county employees.

The project we propose will be two large elegant homes, with vineyard and mountain views. Private and semiprivate rooms will have their own bathrooms, and small sitting areas and dining rooms will resemble vacation lodges. These homes will provide an alternative to the institutional "nursing home" settings that are typically located in cities.

I am enclosing a letter to the county planning department, outlining the project, and the reasons to support it. You may use the information in this letter to write a letter of your own, or if you prefer, sign and mail this letter. Please call me if you have questions about the letter, or the project.

I will be appealing the decision and I need your support. Please help me and support our seniors right to choose their living environment. Please write the planning department and attend the hearing on November 30. Anyone who attends the hearing in support can speak for up to 3 minutes.

Thanks for your help.

Sincerely,

Kathy Tucker

RECEIVED

NOV 09 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

~~7-46~~ 3-110

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that would fill a need, and would join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Ilona M. Butler, RN

Name

1495 Peterson Res. Rd

Address

Templeton, Ca. 93465

RECEIVED

NOV 09 2004

Planning & Bldg

3-111
7-47

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 12 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Sandra Lease

Name

Rancho Pano

Address

#48 Via Santa Barbara
Paso Robles, CA 93446

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

3-112
7-48

RECEIVED
NOV 12 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Kathryn Gates
Name

49 Via Santa Barbara
Address
Paso Robles Ca 93446

3-113
7-49

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 12 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

11-8-04

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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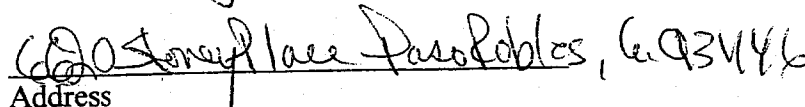
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name


Address

EARLE LLOYD
HEATING • COOLING
6620 STONEY PL.
PASO ROBLES, CA 93446

7-50 3-114

RECEIVED

NOV 12 2004

Planning & Bldg



Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Nov. 8, 2004

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Gail Tarnhill - Owner Almond Country Travel
Name

6620 Stoney Place Paso Robles, Calif. 93446
Address



3-115
7-51

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 12 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

P.O. Box 2146 - Atascadero, Ca.
Address

93423

3-116
7-52

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 12 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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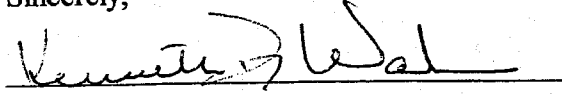
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

1415 SAN MARCOS Rd
Address

Paso Robles, Ca 93446

3-1167
7-53

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED

NOV 05 2004

Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Meghan Keith
Name

1104 Winesap Ct Megan WI 53092
Address

3-118
7-54

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

San Taylor
Name

3000 Taylors Ln
Address

Paso Robles, Ca

93401

RECEIVED

NOV 16 2004

Planning & Bldg

3-119
2-63

November 9, 2004

Department of Planning and Building
Attn: Ryan Hostetter
County Government Center
San Luis Obispo, CA 93401

Re: Tucker Conditional Use Permit DRC2004-00003

Mr. Hostetter:

I am writing this letter in support of the residential care facility for the elderly that the Tucker's are proposing for construction on Monterey Road.

For the past 13 years I have been employed by San Luis Ambulance Service, Inc. as a Paramedic. Most of that time I have spent responding to emergency calls out of the Paso Robles station. A large volume of the calls that we respond to are elderly people. In the past few years I have noticed an increase in private residential care facilities. This type of facility is greatly needed in our community. I have driven by the location that the Tucker's have selected to construct their facility. The location of this facility will provide its residence with prompt response from advance life support (ALS) fire department and ambulance. In addition, the transport time from the facility to Twin Cities Community Hospital is substantially less than from several facilities that are located within the city limits of Paso Robles. I have also seen an increase in "house calls" by physicians in the past year. Both Dr. McCowin and Dr. Bourne visit patients in their homes or residential care facilities. Some of their patients live as far out as Heritage Ranch and Estrella Road area.

Recent research provided by Medicare has shown that elderly patients spend less time hospitalized and in the emergency department that are cared for away from large institutional type care facilities.

RECEIVED

NOV 16 2004

3-120
7-64

On a more personal level, this is the type of facility that I would choose to place my grandmother in. Because of my years of seeing elderly patients suffer in horrid conditions; my family and I care for my 90 year old grandmother in her home. She was born and raised on a farm and has never resided in town. Our hope is to keep her in a rural setting, where she is happy and content.

I hope that you will reconsider the conditional use permit for this project. Please feel free to contact me if you have any questions or would like to discuss this matter. Thank you for your time.

Sincerely,



Jenni Diefenderfer
11015 Catalpa Court
Atascadero, CA 93422

(805)440-7638

3-121
3-65

Bob Schwartzberg
620 University Road
Friday Harbor, WA 98250

November 10, 2004

Attn.: Ryan Hostetter

Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401
rhostetter@co.slo.ca.us

Subject: Tucker Conditional Use Permit DRC2004-00003

Ms. Hostetter,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

There is a strong need for facilities such as this one. This proposal would serve the elderly by allowing them to live in a home-like environment in a quiet country setting. Senior citizens deserve the same residential location choices that the rest of our population enjoys. These choices should include environments such as the vineyard site proposed for this adult care home. Many of my elders are much more familiar and comfortable living in a country setting. They should be allowed a care facility that resembles the countryside they lived and worked in for most of their lives.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the residents of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that will fill a need, and will join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

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NOV 16 2004

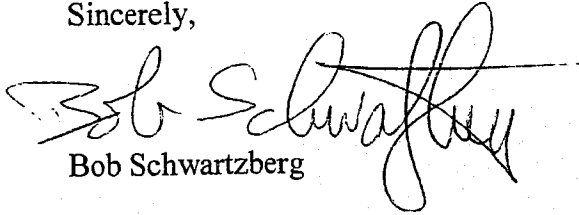
Planning & Bldg

3-7-06

facility we need for our seniors. It is the type of facility I would choose for my family or myself if any of us ever need this type of care.

Please recognize that this project fills an important need for seniors, and for their families. Thank you for approving this project without delay.

Sincerely,


Bob Schwartzberg

RECEIVED

NOV 16 2004

Planning & Bldg

2-67 3-123

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,



Name

780 HORSTMAN

Address TEMPLETON CA 93465

RECEIVED

NOV 17 2004

Planning & Bldg

768 3-124

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Julia E. Gordon
Name

9000 Rocky Canyon Road
Address

Atascadero, California 93422

RECEIVED
NOV 16 2004
Planning & Bldg

7-69 3-125

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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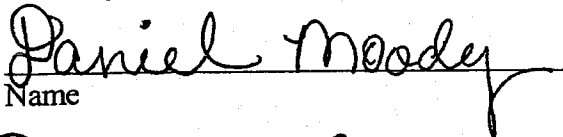
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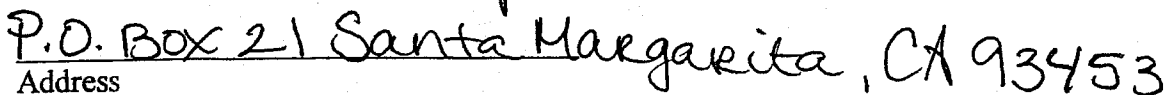
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The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name


Address

RECEIVED

NOV 16 2004

Planning & Bldg

790 3-126

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that would fill a need, and would join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Rebecca D. Terry
Name

215 4th ST. Templeton CA 93465
Address

RECEIVED

NOV 16 2004

Planning & Bldg

7-7 3-127

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401
rhostetter@co.slo.ca.us

Subject: Tucker Conditional Use Permit DRC2004-00003

Ms. Hostetter,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

There is a strong need for facilities such as this one. This proposal would serve the elderly by allowing them to live in a home-like environment in a quiet country setting. Senior citizens deserve the same residential location choices that the rest of our population enjoys. These choices should include environments such as the vineyard site proposed for this adult care home. Many of my elders are much more familiar and comfortable living in a country setting. They should be allowed a care facility that resembles the countryside they lived and worked in for most of their lives.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the residents of this facility will have direct and speedy response by any emergency services they might require.

This is a proposal that will fill a need, and will join existing small businesses in the area. It will consist of two homes of ten bedrooms each, both of which will harmonize with other structures in the area, and which will provide a peaceful environment for the residents. Each room will have lovely views of mountains and vineyards, and will be equipped with a sitting area and small kitchen to add to the sense that residents are living in a home, not a cold institutional facility.

The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need for our seniors. It is the type of facility I would choose for my family or myself if any of us ever need this type of care.

Please recognize that this project fills an important need for seniors, and for their families. Thank you for approving this project without delay.

Sincerely,


Alan Fritzberg

417 EJ Young Road
Olga, Washington 98279

RECEIVED
NOV 16 2004
Planning & Bldg

1-72 3-127

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

James R. Cummings
Name

167 Via San Ynez, Paso Robles, Ca. 93446
Address

RECEIVED
NOV 16 2004
Planning & Bldg

7-73 3-128

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Martha C. Urquhart
Name

1217 Mariah Lane - Paso Robles, Ca. 93446
Address

RECEIVED

NOV 16 2004

Planning & Bldg

~~7-74~~ 3-129

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Enchyn Reet
Name

7385 Vineyard Drive Paso Robles, Ca 93446
Address

RECEIVED

NOV 16 2004

Planning & Bldg

1-75 3-130

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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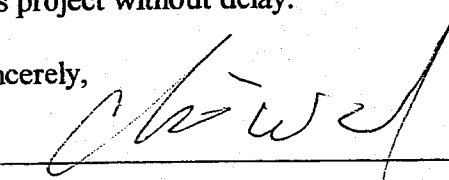
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Name

Address

 Chris Ward

 P.O. Box 21, Santa Margarita Ca.

93453

RECEIVED

NOV 16 2004

Planning & Bldg

7-76 3-131

Gary and Kathy Tucker
PO Box 3029
Paso Robles, CA 93447
805-467-3008

October 27, 2004

Dear Friends and Family,

I am writing to ask your help. For some time I have wanted to own a Residential Care Facility for the Elderly. I have planned a beautiful facility, which Gary and I would like to build on our vineyard property on Monterey Rd. in Paso Robles. The county Planning Department does not want this project to go forward because they feel that "elderly people belong in the city"...."across from hospitals in a large multilevel complex". They have refused to support the project and I am going to have to appeal it to the planning commission on November 30 in San Luis Obispo. The planning department is aware that several smaller Residential Care facilities already exist in rural SLO County, and they have stated that they would like to prevent these also if they could.

I believe seniors have the right to live in the country, and to stay in smaller more homelike environments when they need care. I feel the location of each senior care facility should be chosen by our seniors, their families and physicians, not dictated by county employees.

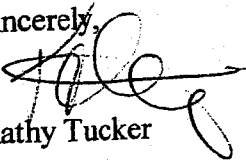
The project we propose will be two large elegant homes, with vineyard and mountain views. Private and semiprivate rooms will have their own bathrooms, and small sitting areas and dining rooms will resemble vacation lodges. These homes will provide an alternative to the institutional "nursing home" settings that are typically located in cities.

I am enclosing a letter to the county planning department, outlining the project, and the reasons to support it. You can use the information in this letter to write a letter of your own, or if you prefer, sign and mail this letter. Please call me if you have questions about the letter, or the project.

I will be appealing the decision and I need your support. Please help me and support our seniors right to choose their living environment. Please write the planning department and attend the hearing on November 30. Anyone who attends the hearing in support can speak for up to 3 minutes.

Thanks for your help.

Sincerely,


Kathy Tucker

RECEIVED

NOV 16 2004

Planning & Bldg

7-77 3-132

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Maggie Bales
Name

417 Crocker Apt. D
Address
Templeton C.A.

93465

RECEIVED

NOV 16 2004

Planning & Bldg

7-78 3-133

Gary and Kathy Tucker
PO Box 3029
Paso Robles, CA 93447
805-467-3008

October 27, 2004

Dear Friends and Family,

I am writing to ask your help. For some time I have wanted to own a Residential Care Facility for the Elderly. I have planned a beautiful facility, which Gary and I would like to build on our vineyard property on Monterey Rd. in Paso Robles. The county Planning Department does not want this project to go forward because they feel that "elderly people belong in the city"...."across from hospitals in a large multilevel complex". They have refused to support the project and I am going to have to appeal it to the planning commission on November 30 in San Luis Obispo. The planning department is aware that several smaller Residential Care facilities already exist in rural SLO County, and they have stated that they would like to prevent these also if they could.

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The project we propose will be two large elegant homes, with vineyard and mountain views. Private and semiprivate rooms will have their own bathrooms, and small sitting areas and dining rooms will resemble vacation lodges. These homes will provide an alternative to the institutional "nursing home" settings that are typically located in cities.

I am enclosing a letter to the county planning department, outlining the project, and the reasons to support it. You can use the information in this letter to write a letter of your own, or if you prefer, sign and mail this letter. Please call me if you have questions about the letter, or the project.

I will be appealing the decision and I need your support. Please help me and support our seniors right to choose their living environment. Please write the planning department and attend the hearing on November 30. Anyone who attends the hearing in support can speak for up to 3 minutes.

Thanks for your help.

Sincerely,

Kathy Tucker

RECEIVED
NOV 16 2004
Planning & Bldg

~~7-19~~ 3-134

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

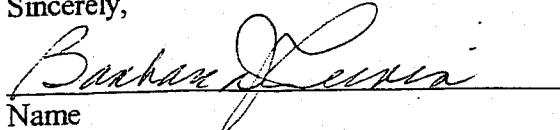
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

2145 Olive St, Paso Robles, Ca 93446
Address

RECEIVED
NOV 16 2004
Planning & Bldg

7-80 3-135

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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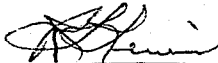
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,



Name

1445 OLIVE ST. PASO ROBLES
Address

RECEIVED

NOV 16 2004

Planning & Bldg

Gary and Kathy Tucker
PO Box 3029
Paso Robles, CA 93447
-467-3008

~~7-8T~~ 3-136

October 27, 2004

Dear Friends and Family,

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Thanks for your help.

Sincerely,

Kathy Tucker

RECEIVED
NOV 16 2004
Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

~~1-82~~ 3-137

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

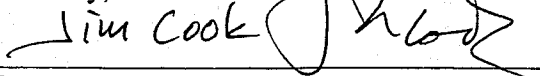
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Jim Cook

Name

330 Tadpole Ct

Address

Templeton 93465

~~7-83~~

3-138

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 18 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Andy Turner

Name

620 OAK LANE

Address

PASO ROBLES CA

93446

2-84 3-139

RECEIVED.

NOV 18 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Melinda Diver
Name

1935 Olive Street
Address Paso Robles, CA 93446

285 3-140

RECEIVED

NOV 18 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Name

Wendy Buep

Address

5040 VINER
P.R.

7-86 3-141

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 18 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Blenda J. Devall
Name

10025 El Camino Real
Address Apt # 10

Atascadero, Ca 93422

3-142
7-87

RECEIVED
NOV 18 2004
Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Sharon Timothy

Name

9410 Jornada Ints Atascadero, CA 93422

Address

3-143
7-88

RECEIVED
NOV 18 2004
Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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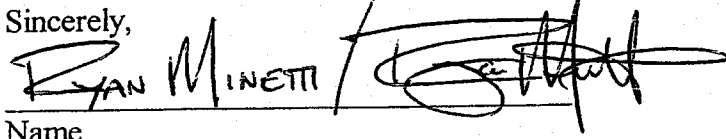
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Name

7326 SANTA YSABEL, ATASCADERO, CA 93422
Address

3-144
7-89

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 18 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Jim Bohner

Name

870 WINDWOOD WAY

Address

Paso Robles, CA

Jean Juhl
509 30th St.
Paso Robles, CA
93446

3745-790

RECEIVED

NOV 18 2004

Planning & Bldg

Nov 16, 2004

Dear Ryan,

I support Kathy and Gary Tucker in their plan to build a quality care facility in North County. San Luis Obispo.

As a 53 year old 'home grown' resident of Paso Robles, a past business owner, a child of parents and relatives soon to need some sort of special care and a friend of many seniors, I know that this sort of facility would be welcomed and accepted with open arms into our area.

Please give these people and others ⁱⁿ our growing community a choice of life style / living environment in their twilight years.

Sincerely,
Jean Juhl

791 3-146

RECEIVED

NOV 19 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely, *Eugene E. Buchanan*

EUGENE E. BUCHANAN

Name

1130 NIBLICK ROAD, PASO ROBLES, CA, 93446
Address

~~7-92~~ 3-147

11/10/04

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED

NOV 19 2004

Planning & Bldg

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Harriet E. Bronson

Name

5212 Magdalena Ave

Address

Atascadero, CA 93422

805-466-5577

3-148
7-93

RECEIVED

NOV 19 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Sincerely,


Name

1650 RAMADA DR (BUSINESS)
Address

3-149
7-94

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 19 2004
Planning & Bldg

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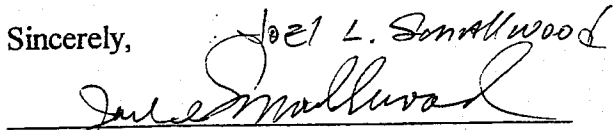
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Sincerely,

Joel L. Smallwood


Name

PO Box 2858, Atas. 93423
Address

3-150
4-95

RECEIVED

NOV 18 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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Sincerely,

Mr. & Mrs. Todd Youngdale
Name

1025 Hemingway Ln.
Address

Templeton, CA
93465

3-151
7-96

RECEIVED

NOV 18 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

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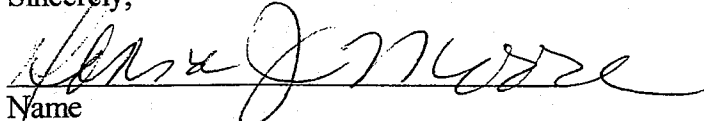
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Sincerely,


Name

780 Hosterman
Address

Templeton - Ca 93465

Al Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

37-157
I-97

RECEIVED

NOV 18 2004

Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Brandy Hamphaus
Name

16545 Monterey Rd.
Address Paso Robles, CA 93426

3-153
7-983

RECEIVED

NOV 19 2004

SLO CO PLANNING & BLDG.

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

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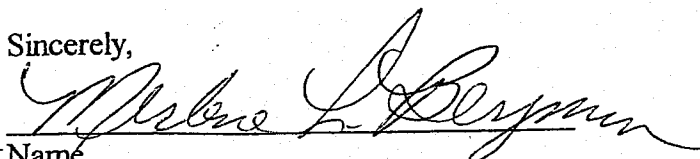
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,



Name

5040 VINEYARD DR.
PASO ROBLES CA 93446

Address

3-154
799

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED

NOV 19 2004

SLO CO PLANNING & BLDG.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Patricia A. Reed

Name

150 Hearts Pl

Address

Paso Robles CA 93446

Attn: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

3-155
7-100

November 4, 2004

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

We are writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Road.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy. At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

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While we do not live in the county, we are familiar with the integrity, sensitivity and societal concerns of the Tuckers and with the location and construction of the proposed residential care facility. We are currently volunteers with a senior caregiver organization and have served on the Board of Directors for the Volunteer Center of Santa Cruz County, so we are aware of the needs and preferences of the elderly. In addition, we worked for California State Parks with emergency response duties; therefore, we understand the demands and abilities of service providers.

Please recognize that this project fills an important need in the county and warrants approval without delay.

Sincerely,

Pat and Jan Anderson-Murphy

RECEIVED

NOV 19 2004

SLO CO PLANNING & BLDG.

3-156
3-104

RECEIVED

NOV 19 2004

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

SLO CO PLANNING & BLDG.

Subject: Tucker Conditional Use Permit DRC2004-00003

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The homes will have a walled garden for privacy and security. There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The local ambulance, fire, and public transportation agencies are all able to service this address. I believe this is the type of care facility we need in our county, and it is the type of facility I would choose for my family or myself if they needed this type of care.

Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Gerald Corbaley
Name

6715 Monterey Rd.
Address
Paso Robles, Calif.
93446

3-154
7-102

RECEIVED

NOV 19 2004

Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the residents of this facility will have direct and speedy response by any emergency services they might require.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Melba McAnna
Name

1801 Park St Paso Robles
Address CA. 93446

3-158
7-103

RECEIVED
NOV 19 2004
Planning & Bldg

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

November 7, 2004

Subject: Tucker Conditional Use Permit DRC2004-00003

I am writing today to urge your support of the proposed elder residential care facility on Monterey Road, submitted by Kathy and Gary Tucker.

Our senior citizens deserve the right to live in a supported, comfortable, home-like environment for as long as it is possible.

With very easy access to city of Paso Robles, and any needed emergency services they might require, the location seems ideal. I think anyone would prefer to live their waning years in a setting such as the one the Tuckers have visualized compared to traditional elder care institutions.

This proposal is for two homes of ten bedrooms each, which will fit in well with current surrounding structures. The location promotes a peaceful environment that anyone would deem ideal for an older parent or other relation. The views of the mountains and vineyards, combined with the design incorporating a sitting area and small kitchen, complete the sense that residents are living in a home, as opposed to a cold institutional facility.

There will be landscaping and the small surrounding vineyard will be retained to create a beautiful appearance that will add to the neighborhood, not detract from it. The homes will have a walled garden for privacy and security. The local ambulance, fire, and public transportation agencies are all enabled to service this address.

Although the need for this type of residence is nationwide, the only way to provide fulfillment will come one permit in one county at a time. Having had generations of relatives in your area, I will be pleased to consider a facility exactly like that which the Tuckers are proposing, when my circumstances require it.

Therefore I urge your immediate approval of this application.



Richard Strahm
1919 Barons Avenue
Medford, OR 97501

3-159
7-104

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 19 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

I am writing this letter in support of the residential care facility for the elderly that the Tuckers are proposing for construction on Monterey Rd.

As you are aware, there is a strong need for such a project in the county. In particular, this proposal would serve the elderly by allowing them to live in a home-like environment with the same quality of life that our other county residents enjoy.

At the same time, because the project is located only 2.4 miles from the city of Paso Robles, on a paved road with excellent freeway access, the resident of this facility will have direct and speedy response by any emergency services they might require.

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Gordon & Colleen Hayes
Name

9765 Canine Hwy
Address
Santa Margarita CA 93453

When we need to use a facility like this, we would most definitely want to be in the country.

3-160
7-105

REX THORNHILL, DPM

MEDICINE AND SURGERY OF THE FOOT
SPORTS MEDICINE

November 17, 2004

RECEIVED

NOV 19 2004

SLO CO PLANNING & BLDG.

Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401
Attn: Ryan Hostetter

Dear Mr. Hostetter,

It has come to my attention that the proposal by Gary and Kathy Tucker to build a residential care facility has been denied. I would urge you to reconsider this.

As you know, we live in an area where a large portion of the population is of the retirement age, or already retired. My mother is in the retired category. As a podiatrist, I have many of these as patients, both in my office practice and in home and care facilities. We have a need to house these seniors in a clean and civil environment. Not only does this need exist for our current citizens, but many working families in my practice choose to relocate their aging parents to this area. This is a need that exists and will increase as the population of this county grows.

I have known Ms. Tucker since I established my practice here in 1989. I can assure you that she is the perfect person to establish a residential care facility. Her background as a registered nurse, and her experience with senior care facilities confirm this. I know her personally to be a caring individual who will have the best interests of her clients at heart. I would have no reservations about putting any of my family in her care.

Again, I urge you to reconsider your original denial of her permit to build these facilities here in the north county.

Sincerely,



Rex Thornhill, DPM

3-161
7-106

RECEIVED

NOV 19 2004

SLO CO PLANNING & BLDG.

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Ryan Hostetter

Name

4390 Carrizo Rd. Atascadero

Address

3-167
7-107

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 18 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

Dear Ryan,

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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,

Janet Wyrick
Name

601 Tucker Ave Paso Robles
Address
Ca 93446

3-163
7-104

Attn.: Ryan Hostetter
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

RECEIVED
NOV 18 2004
Planning & Bldg

Subject: Tucker Conditional Use Permit DRC2004-00003

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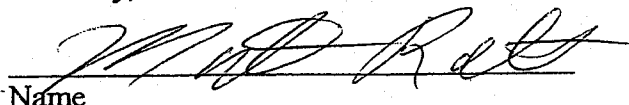
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Please recognize that this project fills an important need in our county. Please approve this project without delay.

Sincerely,


Name

155 Water Fall Temp.
Address